

Indictment

Defendant: The State Intellectual Property Office

Cause of action: When I applied for an invention patent for the "submersible mother ship", the State Intellectual Property Office ignored the patent law, dereliction of duty and abuse of power, and rejected in the preliminary examination.

I applied for an invention patent for the "submarine mother ship", which was rejected by the State Intellectual Property Office in the trial of the first instance. The reason for rejection is that Article 2, paragraph 2 of the Patent Law stipulates that an invention refers to a new technical scheme proposed for a product, method or improvement thereof.

The defendant believes that this application involves a "submarine mother ship", but the application document only describes the design concept of the mother carrier, and the specific structure and connection are not known. The application document only describes the idea or conception of the inventor, without a complete explanation of the scheme. Therefore, the contents of this application do not constitute a complete technical scheme and obviously does not comply with the provisions of paragraph 2, Article 2 of the Patent Law.

I am not satisfied with the review decision of the review request. I believe that the invention application not only has the purpose of the invention, but also systematically explains the specific measures to achieve this purpose, so it is a complete new technical scheme that can be implemented to improve the existing products.

"Diving mother ship" is a new technical solution to improve the attack resistance, improve the attack capability, and reduce the manufacturing and maintenance costs.

The existing submarines have many fatal weaknesses:

1. Due to the special mission of the submarine, the submarine is not suitable to carry antiaircraft weapon , and it is difficult to deal with the siege of the opponent. Once found, it will lead to fierce attacks, often in a completely passive position, and the self-protection ability of the

submarine is very poor. Therefore, in order to avoid discovery, such as sound-absorbing materials, engine and propeller noise reduction has become the key core technologies and difficulties related to the survival of the submarine.

2. Even to increase the size of the submarine of the submarine, the number of weapons it can carry is still limited, limiting its ability to attack.
3. Modern submarines are made more and more complex, along with the overall strength of the structure, a series of problems such as power system, static noise, and stealth, all make their manufacturing and maintenance costs greatly increased, making them extremely expensive.

Through this method, the above disadvantages of modern submarine are completely solved, and the following effects are achieved:

1. Since the submersible mother ship is not afraid of being found and is not afraid of any form of attack, it does not have to be entangled in the key problems faced by modern submarines such as "sound absorption" and "noise reduction".
2. The combat attack power of the mother ship is strong enough to destroy any type of warship formation, easy enough to sweep all targets on the sea and port, easy enough to block a large area of water in any area for a long time, and is an invincible and unstoppable ocean overlord.
3. The mother ship has the ability to chase the target at anywhere on Earth.
4. Because the mother ship is not afraid of any form of strike and has the ability to sail long distances, the mother ship carrier is the most safe and reliable nuclear vehicle, which can be launched close away, and it is difficult to prevent.
5. The manufacturing and maintenance cost of the submersible mother ship is very low.

According to the instructions, the submarine carrier is composed of the Mother boat and the son boats. The Mother boat is responsible for contacting the base and directing the Son boats and the Son boats are responsible for guarding the mother boat and carrying out attack and other tasks. Its overall structure is similar to that of the land army, where the master boat is the commander, hierarchical management, and the son-boat is a single soldier. The size of the submersible mothership can be randomly adjusted, the number of son-boats can be more or less, can reach hundreds or more than a thousand.

Due to the single function of the mother boat and the son boat, the clear division of labor, the internal structure and the number of personnel of each boat are greatly streamlined.

Each boat device is hung out the sealing compartment as far as possible to reduce the volume of the sealing chamber as far as possible, improve the Pressure resistance of the sealing chamber, increase the diving depth, and reduce the manufacturing cost.

The sealing chamber is divided into two parts: high pressure and low pressure. The high pressure chamber is in the low pressure chamber, which is composed of rigid bracket and flexible shed cover. During deep diving, the low pressure chamber folds and shrinks, so, without pressure, and is supported during safe diving.

The high pressure seal compartment is similar to the aircraft cockpit, and the crew is similar to an aircraft pilot.

The boat rated 2-3 persons on crew, take turns on duty and rest.

Diving ships are often on duty outside for a long time, it is very important to protect the crew's constitution, so try to give the crew a comfortable rest environment. The submarine spends most of the time in a safe state, as long as it does not expose itself on underwater, at this time, the diving depth is small, the submarine bears low pressure, it can use the low-pressure cabin to greatly increase the rest space of the crew.

The torpedo hangs outside the sealed compartment, similar to the missile hangs outside the aircraft, there is no limit on the number and type of The torpedo such as heavy and light torpedoes, which can also be equipped with air-submarine-launched missiles and configured as required.

The submersible mother carrier hold multitudinous of individual, individual scattered, small volume, even if the whole makes a loud noise, it is difficult to judge the specific position of each boat.

The enemy can only detect the submarine and then attack. After the submarine sets the submarine-to-air missile, the situation of the submarine has a fundamental change, so that the enemy can not detect in the air, not to mention to carry out the attack, the security of the submarine is fully guaranteed.

The problem of submarine noise reduction and silence does not exist, and can also be said to be completely solved.

Each boat torpedo acts as the power of the boat before launch, controlling the running state of the boat by controlling the torpedo.

The torpedo is no longer just the load of the submarine, and is the power of the submarine, therefore, there is no limit on the number of heavy or light torpedoes, greatly improving the combat effectiveness of the submarine.

The fuel of torpedo is provided by each boat before the torpedo was launched, similar to the aircraft's drop tank, and the fuel is provided by the torpedo itself after the torpedo was launched.

The fuel of each boat is placed in the fuel bag outside the boat. The fuel bag is flexible. No matter the depth of diving and how much fuel remains in the fuel bag, the pressure inside and outside of the fuel bag is always automatically balanced, and the packaging bag is not under pressure. The protecting jacket is rigid unsealed, which can be automatically folded to accommodate the amount of fuel left inside the pouch, maintaining the boat shape and reducing resistance.

Obviously, there is no limit to the configuration of the fuel of the submarine.

The overall design of the boat is flat, similar to flat fish. Usually the boat plane is perpendicular to the sea level to minimize the overlooking area and avoid strikes from the air. The plane of the boat can be flipped 90 degrees for the plane parallel to sea level to accommodate shallow water operations. If walking parts are added to the bottom, they can be used for beach landing.

When the mother carrier is moving, each boat is 200-300 meters apart, and keep communication in the way of sonar relay.

Diving mother ship manufacturing process is simple, the cost is very low, easy to mass production.

The modular structure of the carrier is convenient for storage, transportation and assembly.

The ships can be assembled and trained in inland lakes for concealment.

Obviously, the mother ship is not afraid of any form of attack by the other side , the mother ship can have the attack ability of thousands of torpedo , enough to give any type of warship formation with a devastating blow, sweep all the water, port targets, with the ability to block a large area of the sea.

With a mother carrier escort, underwater transport will become very safe, such as for nuclear vehicles, can launched nearby of target.

The development of underwater transportation will become a hot trend.

This is a new and complete scheme that can use the existing technology to improve the strike resistance, attack capability and reduce the manufacturing and maintenance cost of modern submarines.

If the modern war loses the power of sea and the guarantee of sea passage, the overseas bases will be exhausted in wartime, and the balance of power will become a confrontation between a country and several isolated overseas bases, will this battle still want fight?

With the mother carrier, there will be no war of across the ocean. If Iraq had a submersible mother carrier, would there still be an Iraq war? Without the Iraq war, there would not be 9.11, and there would be no Afghanistan war.

World powers, including some small and medium-sized countries, have nuclear weapons, but no one dares to really use nuclear weapons. In fact, nuclear weapons have only become an essential luxury, and can not play much role in the world strategic pattern.

The submersible mother ship is the invincible ocean hegemon, which can have a profound impact on the world strategic pattern.

On June 3,2001, I first proposed the "submersible mother carrier" in a registered letter to Premier Zhu Rongji.

Officials have reported that the Chinese navy has successfully launched anti-aircraft missiles underwater. The submarine launches the anti-aircraft missile will expose its target, so the general submarine will not be equipped with this missile, this missile is the "submersible mother ship" special equipment.

During the crisis across the Taiwan Strait, it was reported that the Global Weekly commented that "The day of the war between China and the United States will be the day of the demise of the aircraft carrier on earth".

China and the United States go to war, can make the aircraft carrier die on the earth is the submarine ship.

At that time, the Internet technology in China was still very poor. There were only Yahoo (China)

and People's Online in my computer, and my information was seen on the Internet.

I knew the great strategic significance of this invention, and my original intention was to give this invention to the country. In order to keep it secret and minimize the intermediate links, I did not apply for a patent. I only told Premier Zhu Rongji alone before it was publicized.

Even if the common people give away an antique can give a certificate, I gave the country such great results, at least have to give me a Certificates and so on, to confirm that I am the subject of invention, but nothing, as if this harvest was originally of the national, this means a great crisis, a great danger, and a great trouble to me: how could a social idle person who had nothing to do with the submarine invent such a diving mother ship? It is totally incredible, Incredible, Once I have a dispute with the state agency, I will be speechless, I will be such as a Guilty by Suspicion who was stealing and disclose major state secrets, The consequences are extremely serious, apparent.

Fortunately, after much consideration, my letter was sent to Premier Zhu Rongji, but this can only guarantee the present, not the long-term, so I can only apply for a patent with this technology, and according to the patent law, I disclosed the technology without asking me to keep it secret.

In fact, I have long invented the "diving mother carrier", "diving mother carrier" is named by me, after the so-called "diving mother carrier" on the Internet are moving graft, mix the audio-visual by Someone deliberately.

If, in the past, the "mother carrier" was only hearsay to the United States, then after the technology is made public, China has a "mother carrier" is clearly visible, still has the US government any confidence to go to war with China? In this case, if it still want to trigger the war and suffer a great loss, how will it explain to the American people, can the American people forgive the American president?

The maritime hegemony established by the United States with huge amounts of money will disappear in front of the "mother ship". The "mother ship" announces to the world that the ocean bullying of the United States is coming to an end, and the foundation of the United States has cracked.

That may be why the Chinese government has allowed the "mother ship" technology to be disclosed.

"Diving ship" completely adopts the existing mature technology, no technical content, let alone cutting-edge technology, as long as according to the open technology scheme can easily produce "diving ship".

When hearing this case, the State Intellectual Property Office ignored the patent law, dereliction of duty, dereliction of duty and abused its power.

The examiner believes that "this application document only describes the design concept of the submersible mother ship, but the specific structure and connection are not known" and "does not comply with the provisions of paragraph 2 of Article 2 of the Patent Law".

In my opinion, the fundamental difference between "design concept" and "technical solution" lies in that "concept" is only a design direction and the purpose hoped to be achieved, but it does not put forward concrete and feasible measures to achieve this purpose. And the invention application I submitted not only has "purpose", and most of the content in the specification are around the measures and the effect, its "specific structure, connection" in the specification, "the submarine is composed of submarine and submarine, mother boat is responsible for..., each boat is 200-300 meters apart, with sonar relay to keep communication contact" are clear and complete expression.

In the whole review process, I made a detailed explanation to all the review opinions, but the examiner turned a blind eye to these statements, nor to reply specific comments, with "the applicant submitted the opinion statement has not overcome its essence defects, the statement is not persuasive", rejected the application for the invention.

Review of this case is the first trial, Just a format review, the examiner is the examiner of the Preliminary Review Department, the question posed, Such as how the internal and external pressure of the fuel packaging bag is automatically kept balanced. Obviously, the volume of flexible bags will change with the internal and external pressure, this is like a deflated ball, the examiner doesn't even have the common sense, and the language of the expression is also specious, such as: " the structure of the sealed compartment, position, how to hang each boat out in the sealed cabin (sic) " and so on, without any basic common sense in the field of the case, not to mention the expertise, do not have the ability and qualification to examine the specific

content of the case, and that the conclusion of "incomplete technical scheme" is unsupported, it is a violation of patent law.

The invention application throughout from the material printing and into examine, some people had accessed to the content of the application, for this content more people had interested, after learned the content, then if someone using the same content has applied for a invention patent in a country in the world, in that way, the application date certainly after me, If it want to get obtain the patent of the invention, it must rejected my patent application in the first trial, such it can prevent the announcement of my application documents and patent application date, that's the only way to go out there.

This is of a huge real interest and a logical possibility. This is also the reason why the State Intellectual Property Office is willing to take the risk of breaking the law and insist rushing on the preliminary examination stage of my application, rather than to reject the application through the substantive examination.

This possibility is real, the consequences are serious, with such a routine to steal, smuggling of scientific and technological achievements has violated the criminal law, is a crime.

To reject the application of this invention is the purpose of the examiner of the case , in order to achieve this purpose, is also dedicated to do everything, and also moved out of an "abnormal application monitoring working group" review department to give me undue charges, in order to reject my patent application.

According to the "Patent Law", the legal examination procedures of an invention patent application are "preliminary examination" and "substantive examination", and a detailed and clear scope of responsibilities is stipulated for each examination link. Which of review procedure the review opinions issued by the "abnormal Application Monitoring Working Group" belongs to, and which legal provisions was accorded to?

The review opinion not only did not put forward any specific examples and evidence, but asked the applicant "state the reasons and submit sufficient supporting materials", and "the applicant fails to reply within the time limit, the application will be deemed to be withdrawn".

Really absurd, order law-abiding citizens to submit full proof materials about no illegal , is this the country's highest administrative law enforcement department? even the least face are disregard, do not want, just like a rogue, shameless, arbitrary, domineering.

According to the specific measures proposed in the specification of the invention and the results obtained thereby are consistent with the objectives to be achieved in the specification, the application for the invention is "a new technical scheme proposed for product improvement", and the application for the invention complies with the provisions of Article 2 of the Patent Law.