

## 1. Summary of Achievements by Office of CGPDTM (2014-15 to 2019-2020)

### i. Amendments in Rules:

The Patents Rules have been amended in 2016, 2017 and 2019 while the Trademarks Rules have been amended in 2017 to achieve the objective of removing procedural inconsistencies and unnecessary steps in processing of applications to speed up grant/registration and final disposal. By amending the Rules, the procedures are made more compact, time-bound, user-friendly and compatible for e-transactions. In Trademarks, 74 Existing Forms replaced by 8 consolidated Forms; One application form for all types of trademark applications provided; Process for determination of well-known mark laid out; Express provision for filing applications for sound marks provided; Procedures relating to registration as Registered User of trademarks simplified; and Expedited processing of an application right up to registration stage provided.

### ii. Modernisation of IP offices:

Modernization and strengthening of IP Offices was continued for further upgradation of infrastructure, augmentation of technical manpower, computerisation, reengineering of the process work-flow, database upgradation and IT enablement of IP Offices across the country.

During the last 5 years, there has been a steady switchover from manual to computerized system of processing of IP applications, improved management of IP-related information, creation of stronger public interface and revamping of the routine functioning of IP Offices.

### iii. Manpower Augmentation:

In order to remove the backlog and enable speedy examination/disposal of IP applications, the manpower in IP Offices has been augmented substantially. Examiners of Patents & Designs have been recruited during 2016 and recruitment of 220 new examiners of patents in different fields was made during 2019 to have the sufficient strength. At the same time, number of Controllers of Patents & Designs has been increased adequately by creating the posts of Controllers. In Trademarks also, the strength of Examiners of Trademarks & GI has been increased through recruitment on regular and contract basis.

**Manpower position** at present, as compared to that on 31-03-2015, is as under:

As on	Patents		Trademarks	
	Examiners	Controllers	Examiners + Senior Examiners	Registrars
31-03-2015	183	89	64	13
26-05-2020	610 (673*)	245 (265*)	181 (235*)	22 (54*)

(\*): Sanctioned posts.

### iv. Use of IT and Technology:

- **Paperless electronic processing** implemented in Patent Office and Trade Marks Registry.
- **E-filing of applications** in Patents, Designs and Trademarks is available on 24x7 basis and has increased to more than 90% in Patents and Trademarks and 75% in Designs. 10% rebate on online filing in Patents and Trademarks to increase in online filing.
- **Email** as a mode of service has been implemented in all IPO transactions.
- **Online delivery of Certificates of Grant/Registration** of Patent, Trademark and Designs in digital format implemented.
- Registration of Patent Agents and issuance of certificate for registration of Patent Agents is made online.
- The office has started **periodic publication of list of First Examination Reports (FER)** issued by the Patent Office.

- **Video-conferencing-** Hearing of contested cases in Patents is done through Video-conferencing from applicant's place, thereby removing the requirement of visiting the Patent Office by the applicant.
- **SMS Alert-** The facility launched to help the applicants to get alerts and updates regarding critical time-related events for patent processing so as to facilitate the applicants to submit response in time.
- **Dynamic Website and Information dissemination-** The IPO website has been redesigned to improve contents and ease of access and make it more interactive, informative and easy to navigate. IP data on real-time basis is available in respect of filing and processing of Patents, Designs, Trade Marks and Geographical Indications. The website provides login-free Search facility for hassle-free dissemination of IP information to stakeholders.
- **WIPO services-** WIPO IPCCAT, WIPO CASE, WIPO DAS WIPO Publish services implemented in working of Patent Office.

**v. Expedited examination:**

- The facility of **Expedited Examination has been** provided for patent applications filed by Startups and for applications where the Applicant has selected Indian Patent office as ISA/IPEA for his PCT application. Recently, the Expedited Examination system is extended for patent applications **to 8 more categories of Applicants wef. 17-09-2019** by amending the Patents Rules. **New categories include SME, Female applicants**, Government Departments, institutions established by a Central, Provincial or State Act, which is owned or controlled by the Government, Government company, an institution wholly or substantially financed by the Government and applicants under PPH.
- Under the Expedited Examination System, most applications regarding grant of patents have been decided within about one year of filing Request for Expedited Examination as compared to the period of few years required in case of normal examination route. The fastest granted patent is the one which was granted in 41 days after filing of such request.

**vi. Initiatives for Startup India program:**

- **80% fee concession** is available for Patent applications filed by Startups whereas for Trademark startup applications, **50% fee concession** is provided as compared to large entity.

Similar provision of enhanced FEE concession for MSME has been proposed in the Draft (Second Amendment) Patent Rules, 2019.

- The "**Scheme for Facilitating Startups Intellectual Property Protection (SIPP)**" was launched in 2016 to encourage and facilitate IPR protection by Startups and the same has been extended up to March 2023. The Scheme is implemented by the office of CGPD TM and provides facilitators to Startups for filing and processing of their applications for patents, designs and trademarks. Professional charges of the facilitators are reimbursed by the office of CGPD TM as per provisions under the SIPP scheme.

**vii. Awareness in IPR:**

The office of CGPD TM is regularly engaged in dissemination of information and knowledge to IP stakeholders by way of conducting/participating in IPR awareness activities conducted for schools, universities, industries, legal and enforcement agencies and other stakeholders, in association with CIPAM (DPIIT) and industry Associations in the country. The IPO officials regularly participate as resource persons in these programs. RGNIPM Nagpur, which is a specialized institute under the office of CGPD TM, also conducts public training programs and awareness programs in IPR.

### viii. Feedback Mechanism:

The mechanism to lodge feedback/suggestions/complaints in respect of issues related to functioning of the IP offices has been set up in IPO website for the benefit of stakeholders. A team acts promptly on stakeholders' suggestions/grievances and communicate appropriate response through e-mail.

### ix. India's accession to WIPO implemented treaties:

The Government of India has accepted the proposal for India's **accession to the WIPO Copyright Treaty and WIPO Performers and Phonograms Treaty**, which extends the coverage of Copyright to the internet and digital environment, and also the **proposal for accession of India to the Nice, Vienna and Locarno Agreements**, which will help the Indian IP Office to harmonize the classification systems for examination of trademark and design applications, in line with the classification systems followed globally. Both the treaties provide framework for creators and right owners to use technical tools to protect their works and safeguard information about their use.

x. **A pilot Patent Prosecution Highway (PPH) project with Japan** has been signed and started in the month of December 2019.

## 2. IMPACT OF STEPS TAKEN:

### • Patents:

- Patent Examination increased from 22631 in 2014-15 to 800088 by end of F.Y. 2019-20.
- Time required for Patent examination reduced from average 72 months in 2015 to 12- 30 months at present, depending upon technology fields, which will be further reduced to about 12 months for all technology fields, by end of December 2020.
- Grant of patents has increased from 5978 in 2014-15 to 24936 in 2019-20.
- It is expected that the time for final disposal of patent applications, which has reduced to average 48 months at present from few years earlier, will be reduced to average 24-30 months from filing by end of 2021.

### • Trademarks:

- Period of examination of new trademarks applications is reduced from 13 months to less than 30 days.
- Trademark is registered in about 6 months, if there is no objection or opposition filed, as compared to 3-5 years required earlier.
- About 50% applications are accepted at 1<sup>st</sup> stage as against only 7% earlier.
- 11.62 lakh Trademark Registrations done in just four Years (during 2016-17 to 2019-20) as compared to 11 lakh Registrations during 75 Years (1940-2015).

• **Designs:** Examination of new applications is done within one month after filing.

### • Copyrights:

- There is no pendency in examination for Copyright registration, except cases which are under statutory waiting period and where the work is awaited from the applicants.
- There is no pendency for registration of Copyright except cases under statutory waiting period.

### • Startups:

- As on 31-03-2020, total Startups applications filing in Patent was 3204 and in Trademarks it was 6090.
- Total patents granted to startups up to 31-03-2020 is 309.

### 3. Significant Achievements by IPO: (2019-20 vis-à-vis 2014-15)

<b>Patents</b>	<b>Particulars</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>
	<b>Filed</b>	42763	46904	45444	47854	50659	<b>56284</b>
	<b>Examined</b>	22631	16853	28967	60330	85426	<b>80088</b>
	<b>Grant</b>	5978	6326	9847	13045	15283	<b>24936</b>
	<b>Disposal</b>	14316	21987	30271	47695	50884	<b>55945</b>
<b>Patents : Highlights ( 2019-20 vis-à-vis 2014-15)</b> <ul style="list-style-type: none"> <li>• Filings increased by <b>31.6 %</b></li> <li>• Examination increased by <b>253.9 %</b></li> <li>• Grants increased by <b>317.1 %</b></li> <li>• Disposal increased by <b>290.8%</b></li> <li>• Domestic filing increased to <b>37%</b> as compared to <b>28.2%</b> in 2014-15</li> </ul>							
<b>Trade Marks</b>	<b>Particulars</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>
	<b>Filed</b>	210501	283060	281868	272974	323798	<b>334815</b>
	<b>Examined</b>	168026	267861	532230	306259	337541	<b>338551</b>
	<b>Registered</b>	41583	65045	250070	300913	316798	<b>294172</b>
	<b>Disposal</b>	83652	116167	290444	555777	519185	<b>422566</b>
<b>Trade Marks : Highlights ( 2019-20 vis-à-vis 2014-15)</b> <ul style="list-style-type: none"> <li>• Filing increased by <b>59.1 %</b></li> <li>• Examination increased by <b>101.5 %</b></li> <li>• Registrations increased by <b>607.4 %</b></li> <li>• Disposal increased by <b>405.1 %</b></li> <li>• Examination within <b>1 month</b></li> </ul>							
<b>Designs</b>	<b>Particulars</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>
	<b>Filed</b>	9327	11108	10196	11837	12585	<b>14272</b>
	<b>Examined</b>	7459	7545	11940	11850	12661	<b>13644</b>
	<b>Registered</b>	7147	7904	8276	10020	9512	<b>12268</b>
	<b>Disposal</b>	7218	8273	8332	10788	11414	<b>14713</b>
<b>Designs : Highlights ( 2019-20 vis-à-vis 2014-15)</b> <ul style="list-style-type: none"> <li>• Filing increased by <b>53%</b></li> <li>• Examination increased by <b>82.9 %</b></li> <li>• Registrations increased by <b>71.7 %</b></li> <li>• Disposal increased up by <b>103.8 %</b></li> <li>• Examination within <b>1 month</b></li> </ul>							
<b>Copyrights</b>	<b>Particulars</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>		
	<b>Filed</b>	17827	17841	18250	<b>21905</b>		
	<b>Examined</b>	9440	34388	22658	<b>19460</b>		
	<b>Registered</b>	3597	19997	14625	<b>16048</b>		
	<b>Disposal</b>	5444	39799	25943	<b>19490</b>		
<b>Copyright: Highlights ( 2019-20 vis-à-vis 2016-17)</b> <ul style="list-style-type: none"> <li>• Filing increased by <b>22.9 %</b></li> <li>• Examination increased by <b>106.1%</b></li> <li>• Registrations increased by <b>346.1%</b></li> <li>• Disposal increased up by <b>258.0%</b></li> <li>• No pendency in examination and registration</li> </ul>							