



# Country Report of India

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# Outline

- Geographical & Demographical Information
- Economy
- Ancient science & Technology
- Post and Responsibility
- Organization structure
- Indian Patent System
- The Examination Practices of Indian Patent System
- Statistics

# Economy

- Currency: Indian Rupee (₹)
- GDP: \$2.45 trillion (nominal)
- GDP Rank: 6th (nominal)/ 3rd (PPP)
- Growth rates: 7.2% (2014), 7.6% (2015), 7.0% (2016e), 7.6% (2017)
- Trade organizations: WTO, SAFTA, BRICS, G-20, East Asia Summit, G8+5, SAARC, AIIB, BIMSTEC, RCEP, International Monetary Fund, World Bank, SCO, United Nations

# Ancient science & Technology

- **Aryabhatta** the great Indian mathematician has in fact invented “0”.
- **Charaka** has written “**Charaka Samhita**” an epic for Ayurveda.
- **Shusruta** has written “**Shushruta Samhita**” ,which describes over 120 surgical instruments, 300 surgical procedures and classifies human surgery in 8 categories.
- India in the recent time has shown its potential in the field of Pharma and Information technology.

# Post and Responsibility

**NAME OF THE POST – EXAMINER OF PATENTS AND DESIGNS**

## **RESPONSIBILITY**

1. Examination of applications for patents to determine the patentability of inventions by ascertaining the sufficiency of description of invention, novelty search and other technical requirements as per the Indian Patent Act.
2. Screening the patent applications as per the relevant subjects.
3. Classification of application for patents .
4. Assisting controller during pre-grant and post-grant opposition.
5. Creating awareness about patenting system among the public.

# Post and Responsibility

**NAME OF THE POST – CONTROLLER OF PATENTS AND DESIGNS**

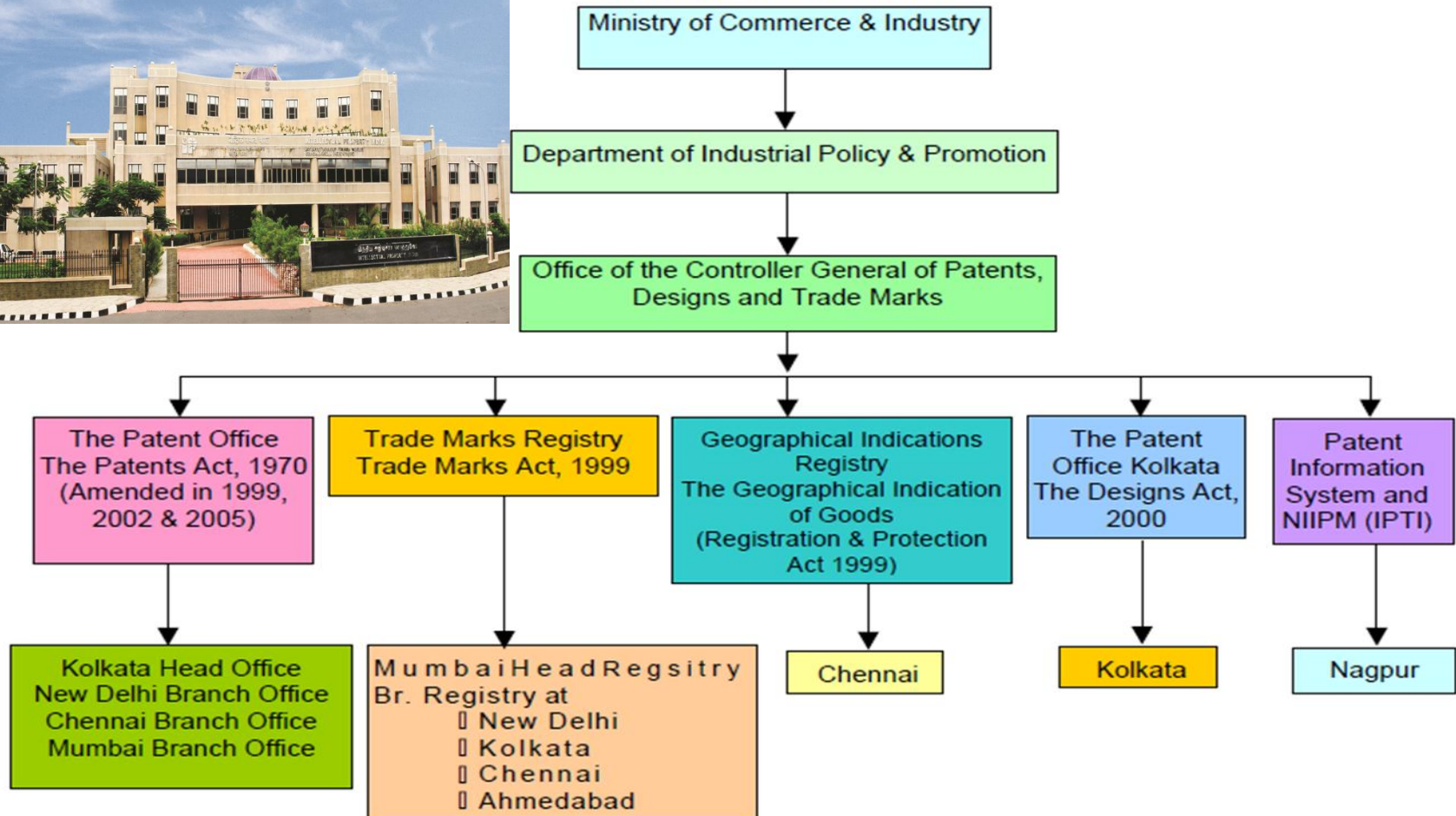
## **RESPONSIBILITY**

1. Reviewing of examination report made by examiner.
2. Disposal of Patent application.
2. Hearing of patents application.
3. Disposal of pre-grant and post-grant opposition.
4. Creating awareness about patenting system among the public.

# Organization structure

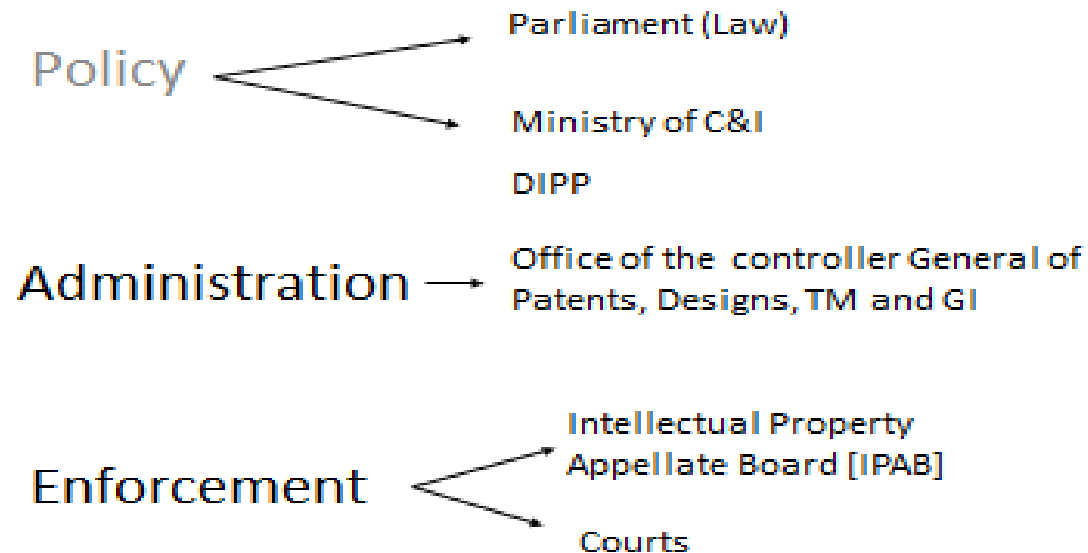


## ORGANIZATION CHART



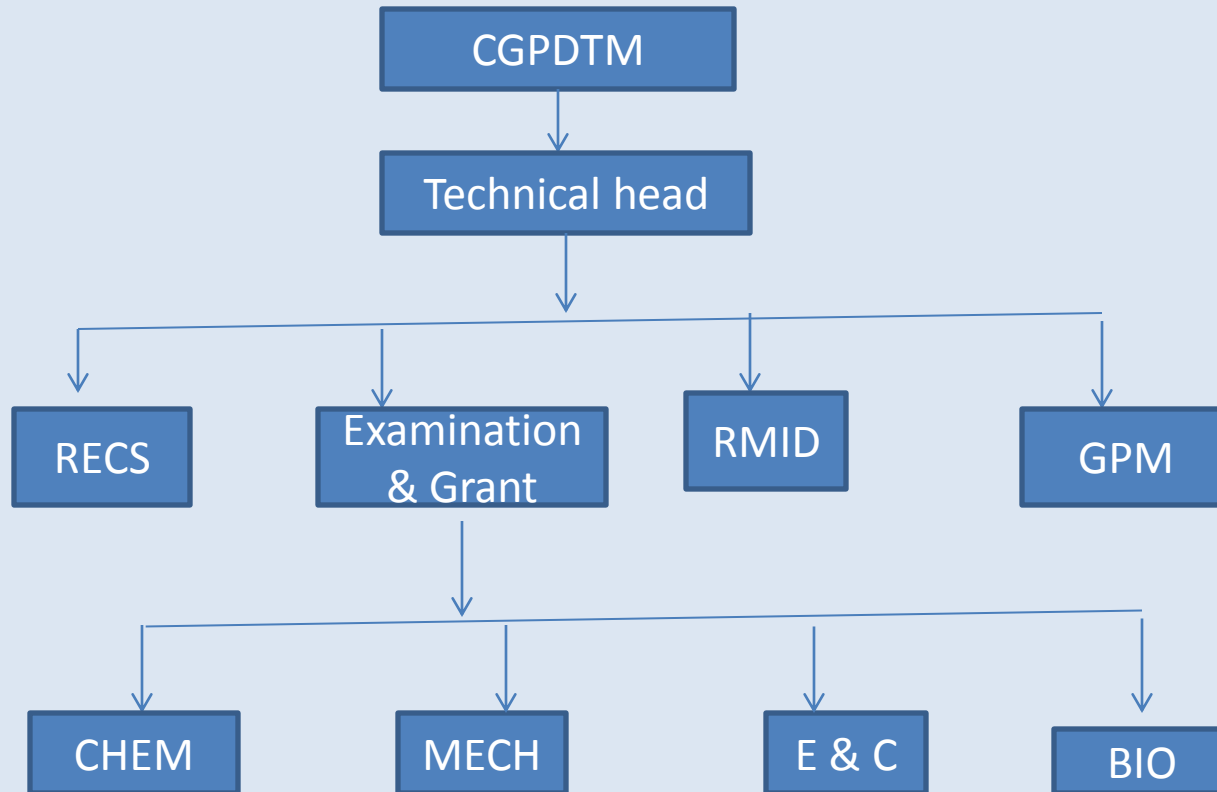
# Indian Patent System

## Indian Patent System





# Indian Patent System



# Indian Patent System

## RMID (Record Management and Information Dissemination Section)

- Storage & management of Records and providing information.
- Defence & atomic energy cases
- Dealing with Provisional application filed.
- Publication of application
- Withdrawal of application
- Supply of documents and Inspection of documents
- Renewal, Restoration
- permission to file patent application abroad

# Indian Patent System

## RECS

- Receipts
- Sorting & Distribution, Digitization, verification,
- Screening & classification
- Under the overall supervision and control of Technical head

# Indian Patent System

## GPM (General Patent Matters section)

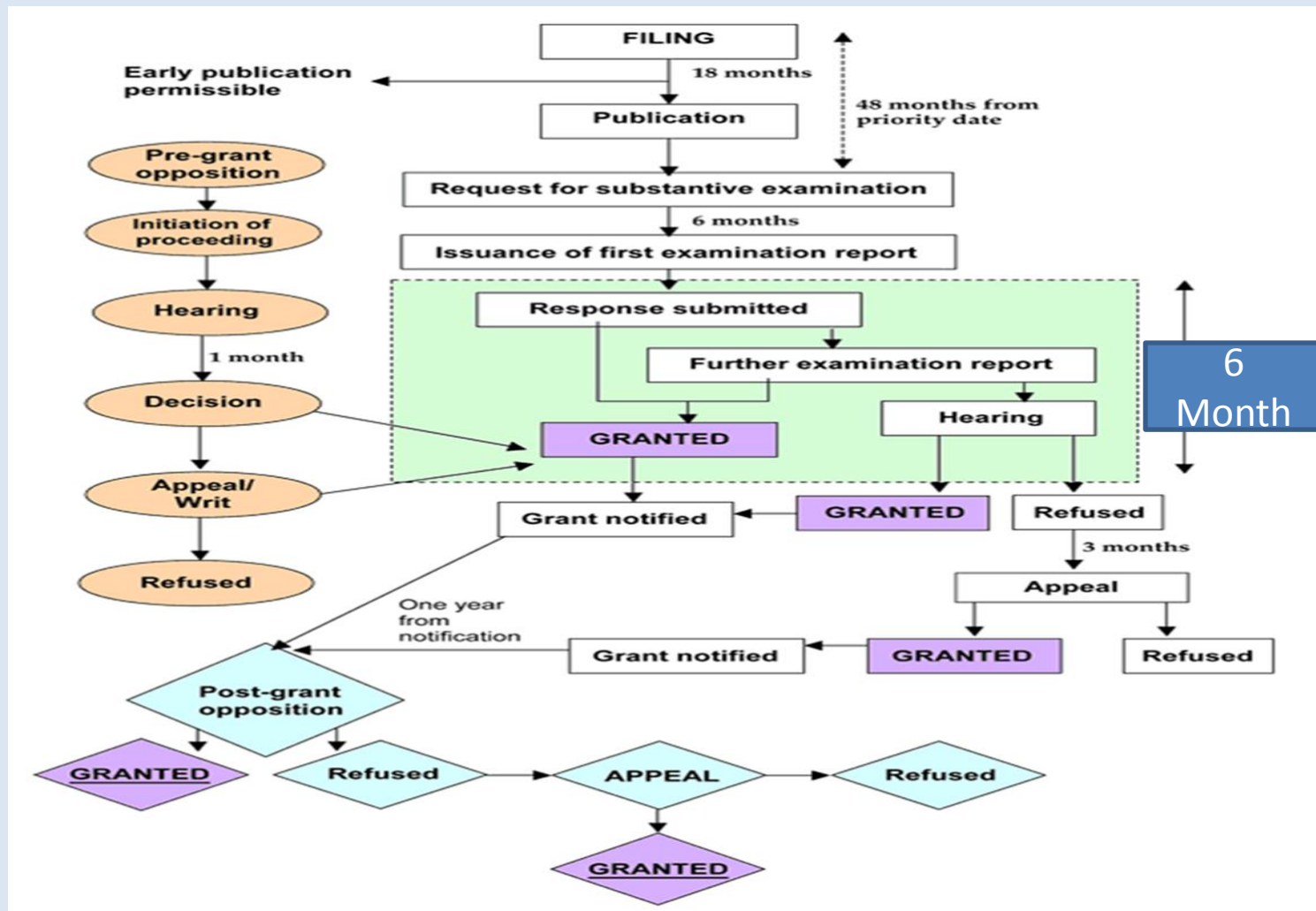
- Information regarding working of Patent and publication on journal.
- Legal matters
- Processing of post-grant opposition
- Statistical information
- Periodical reports
- Public grievances, requests under RTI, Parliament questions etc.

# Indian Patent System

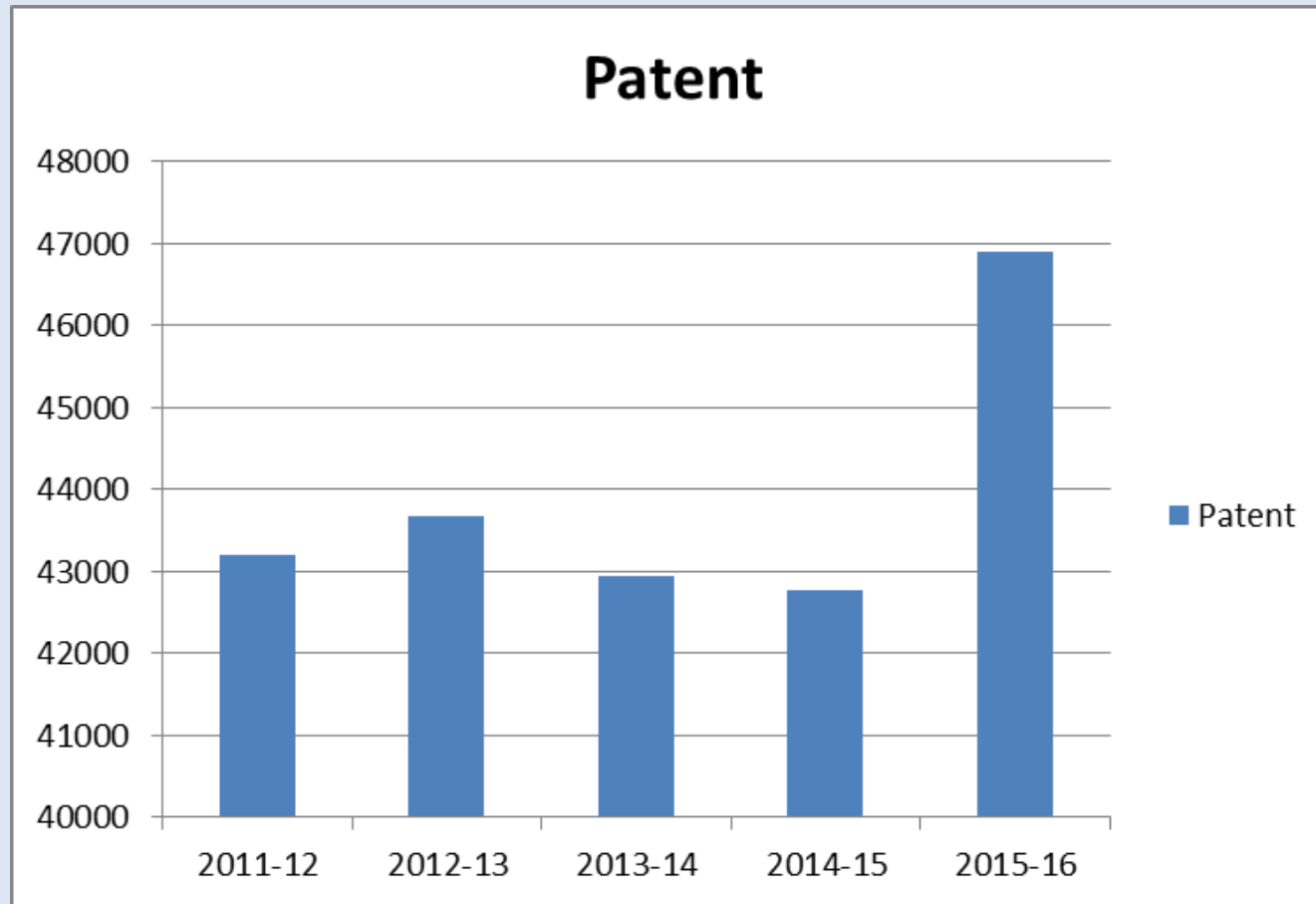
## E&G (Examination and grant section)

- Grouping of Controllers an examiner according to their specialization
- These groups under supervision of the group leaders
- Examination of Patents application for grant of Patents

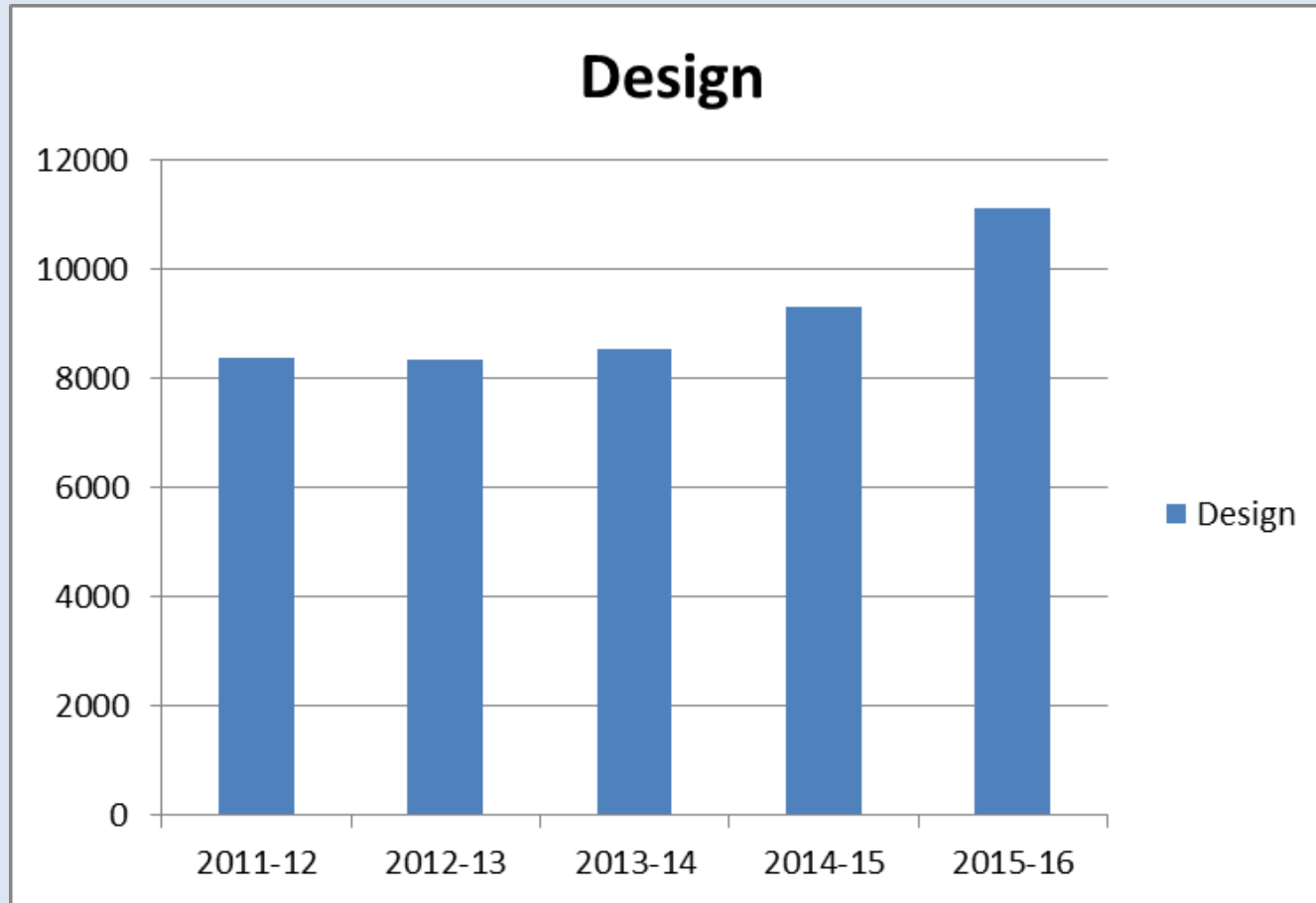
# The Examination Practices of Indian Patent System



# Statistics

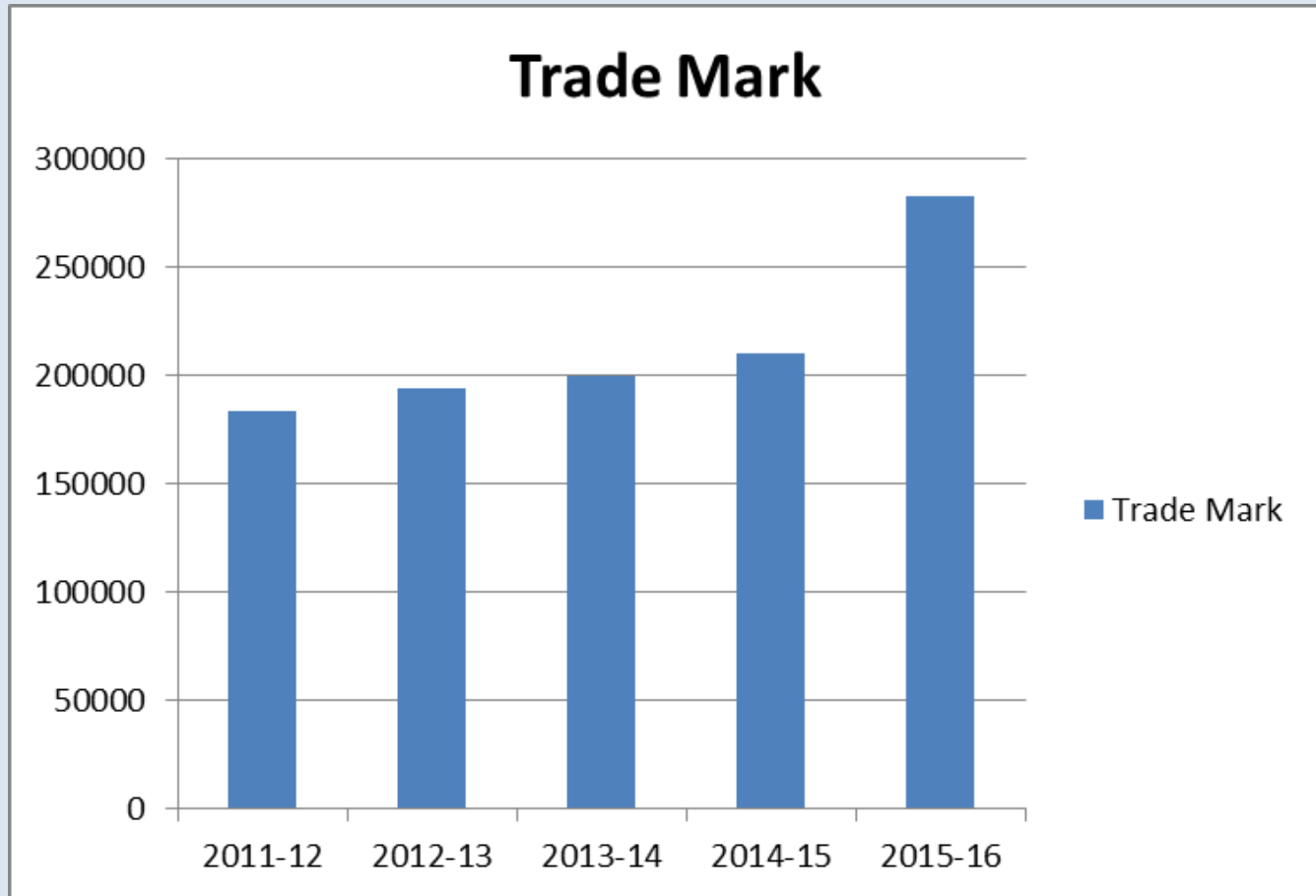


# Statistics

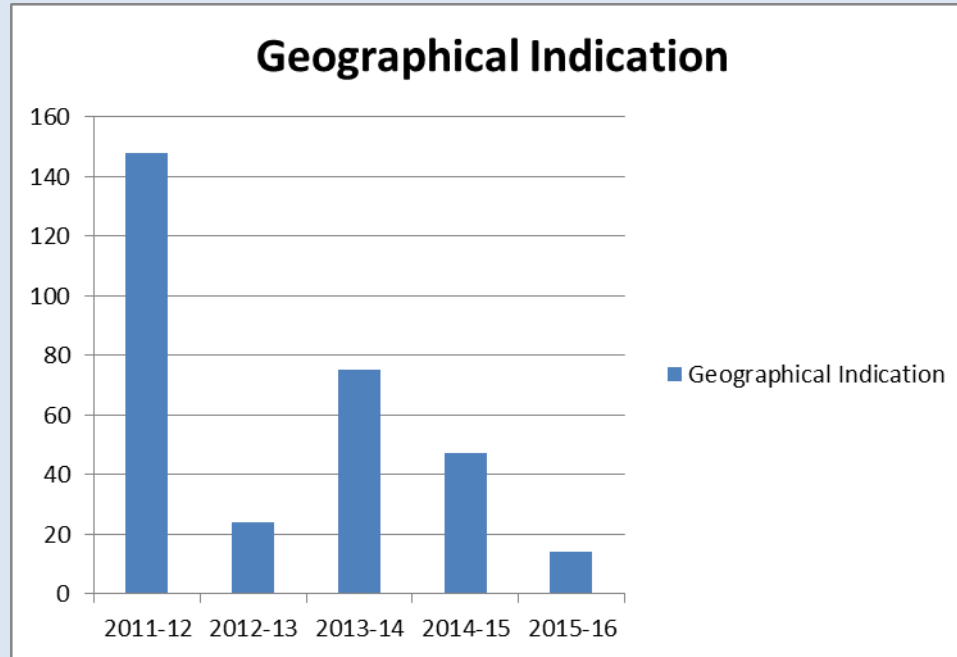




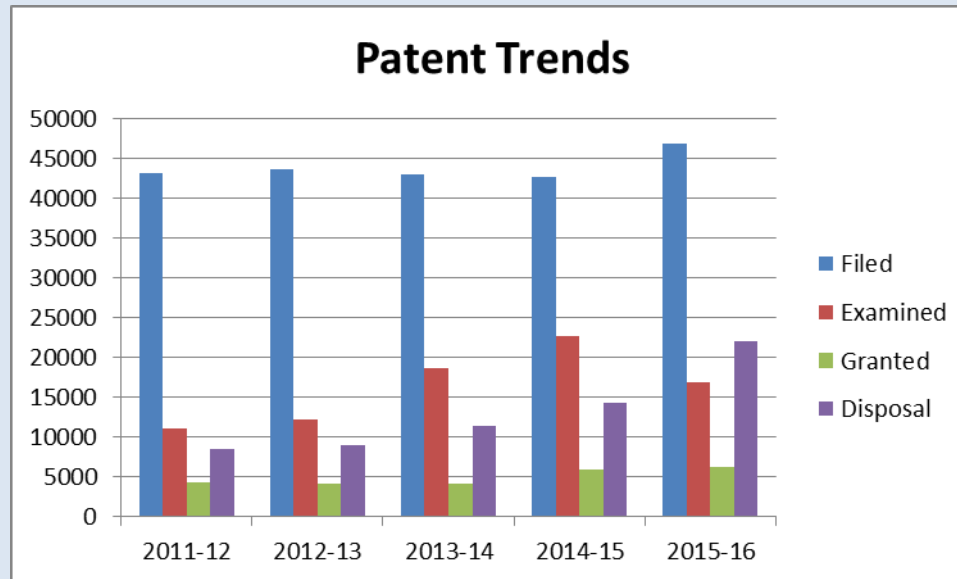
## Statistics



# Statistics



# Statistics



## Statistics

### Number of Patent applications filed by the applicants from BRICS countries in India

Country	Ordinary		Convention		National Phase Application	
	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15
Brazil	0	6	2	6	44	48
Russia	5	1	1	1	87	88
China	8	5	145	87	1655	874
South Africa	6	11	4	7	66	74

## Website Details

- 1.E-Filing of the application
- 2.Status of the Patents, Trademarks and GI applications
- 3.Guidance for filing applications
- 4.Public Search related to Patents, Trademarks and Designs(InPASS)
- 5.Working of Patents( Information u/s 146)
- 6.List of Scientific Advisors
- 7.Controller's Decisions
- 8.IP Manuals
- 9.E-Newsletter.
- 10.Applications related to Traditional Knowledge, Food & Pharmaceuticals
- 11.Controller's Decision
12. Electronic Register of Patent Agents
13. Guidelines for Examination of Computer-related Inventions (CRIs)
- 14.Guidelines for examination of patent applications in the field of Pharmaceuticals
- 15.Patent Office Procedure

## Expectation and Interest

Program will enhance:

- Prior art searching & analysis capabilities
- Decision writing with respect to techno-legal proceedings
- Dealing with opposition proceedings
- Dealing with Infringement proceedings at Appellate Body
- To study the basis for policy making in China regarding Act and Procedure.
- To visit & study Establishment and functioning of Office of Intellectual Property at any University
- To be a expert/consultant to Indian Govt. and Indian Universities in the field of Intellectual Property Rights for Technology Assessment, Technology Transfer and Commercialisation



**THANK YOU**

