

A Reference Guide

New India's IP Regime and Scenario

Updated Nov 2019

India as a
Business and IP Destination

IP Trends and
Statistics (2012 Onwards)

Notable IP Case
Studies from India

Searching Indian Patent
Information

Unique Requirements & Recent
Developments in Indian IP Regime

Table of Content

1. WHY EYEING INDIA FOR BUSINESS EXPANSION IS THE BEST BET!	1
2. INDIA AS AN IP FILING DESTINATION	3
2.1 Cost of filing patent applications in India	3
2.2 Language of patent application	3
2.3 Reduction in various Official Fees	3
3. IP TRENDS & STATISTICS IN INDIA	4
3.1 General Patent Trends	4
3.1.1 Overall filing, examination, grant and disposal trends (2012 onwards)	4
3.1.2 Trend of applications filed by Indian residents	4
3.1.3 Trend of applications filed by non-residents (Comparing various routes)	5
3.2 Country analytics	5
3.2.1 Top countries from where India receives maximum PCT NP entries	5
3.2.2 Top countries from where India receives maximum filings (via any route)	6
3.2.3 Top countries where Indians file maximum patents (via any route)	7
3.3 Assignee Analytics	8
3.3.1 Top Foreign Assignees filing in India – country-wise	8
3.3.2 Top Indian resident Assignees filing in India	13
3.4 IPC/ Technology wise Analytics	14
3.4.1 Top IPC classes from all patents filed in India (2012 Onwards)	14
3.4.1.1 Top 10 Assignees In India For Each Of Top 10 Ipc Classes	15
3.4.2 14 IPC classes recording highest annual growth since 2012	21
3.4.3 10 IPC classes recording highest annual decline since 2012	23
3.5 Trademark Trends	24
3.6 Copyright Trends	24
3.7 Design Trends	25
4. RECENT DEVELOPMENTS IN INDIA'S IP REGIME	26

Table of Content

4.1 National IPR Policy and its Implementation	26
4.1.1 First National IPR Policy	26
4.1.2 Implementation of the objectives of IPR policy	26
4.2 IP Prosecution	28
4.2.1 Amendments pertaining to Statutes	28
4.2.2 Speeding up grant process of a patent	29
4.2.3 Comparison of Reduction in Pendency of Patent Applications (FY 2017 – 2019)	31
4.2.4 Comparison of grant time (FY 2012 – 2017) – reducing significantly	31
4.2.5 Increased use of Technology & Digitization initiatives at IP offices	32
4.3 IP Litigation	32
4.3.1 IP Enforcement & Various amendments within the ambit of ip litigation	32
4.3.2 General timelines followed at the Commercial Courts	34
5. RELEVANT IP CASE STUDIES	35
5.1 Awarding Punitive damages	35
5.1.1 Nippon Steel & Sumitomo Metal Corporation vs. Kishor D Jain & Anr	35
5.1.2 Whatman Int. Ltd. v. P. Mehta & Ors.	35
5.1.3 Glenmark Pharma Ltd. v. Curetech Skincare and Galpha Labs Ltd.	35
5.2 Bolar exception: Bayer Corporation v. Union of India & Anr.	35
5.3 Patenting genetically modified plants: Monsanto Tech. LLC v. Nuziveedu Seeds Ltd.	35
6. SALIENT FEATURES OF INDIAN IP SYSTEM	36
6.1 Organization of Indian IP offices	36
6.2 Process of registering Patents in India	37
6.3 Process of registering Trademarks in India	37
6.4 Process of registering Designs in India	38
6.5 Process of registering Copyright in India	38
6.6 A brief on Unique Sections of INDIAN PATENT ACT, 1970	39

Table of Content

6.7 A brief on Unique Procedural Requirements by IPO during prosecution and post grant	40
7. SEARCHING INDIAN PATENT INFORMATION	41
7.1 Introduction	41
7.2 Comparison of Patent Databases	41
7.2.1 Comparison of Patent Databases: Test 1 – Classification Search	41
7.2.2 Comparison of Patent Databases: Test 2 – Assignee Search	42
7.2.3 Comparison of Patent Databases: Test 3 – Keywords Search	44
7.3 Comparison of legal status and bibliographic data on various databases	45
7.3.1 Data Validation: Alive & Granted	45
7.3.2 Data Validation: Alive & Pending (Case A)	46
7.3.3 Data Validation: (Alive & Pending) OR Lapsed (Case B)	46
7.3.4 Data Validation: Dead & Lapsed	47
7.3.5 Data Validation: Dead & Expired (Term Completed/ Renewal Fee Not Paid)	47
7.3.6 Data Validation: Dead & Expired (Patent Term Expiration)	48
7.4 Accuracy of IPC classifications	48
7.4.1 Errors in Classification – Indian Patents without any family member(s) – Broad IPC	48
7.4.2 Errors in Classification – Indian Patents without any family member(s) – Narrow IPC	49
7.4.3 Errors in Classification – Indian Patents with foreign family member(s) – Narrow IPC	50
7.4.4 Errors in Classification – Indian Patents with foreign family member(s) – broad IPC	50
7.5 Manual inspection of Patent Register before Indian Patent Office	51

1. WHY EYEING INDIA FOR BUSINESS EXPANSION IS THE BEST BET!

- India has positioned itself as one of the top destinations for Ease of Doing Business. According to World Bank's Ease of Doing Business Ranking, India has jumped 14 places to 63 in 2019 from 77 in 2018.
- India improved its ranking in the Global Innovation Index by five places to 52nd in 2019, from 57th position in 2018, prior to which it stood at 60th rank in 2017, at 60th rank in 2017 and 81st position in 2015. It is enthralling to note that India has been continuously climbing the Global Innovation Index rank chart for several years consecutively.
- India has recently grabbed the position of 2nd largest smartphone market in the world by replacing the United States.
- India has the 3rd largest pharmaceutical market in the world.
- India ranks 3rd amongst the most attractive investment destinations for technology transactions in the world.
- India ranks as the 3rd largest startup ecosystem in the world, with more than 25,000 startups under its startup hub.
- India has swept off Germany to become the 4th largest automobile market in the world.
- India, being the homeland of 4% of the world's unicorns, is ranked 3rd in 'Countries with Most Unicorns'.
- The title of world's pre-eminent exporter of IT products and associated services is held by India.
- India is among the topmost countries in the world, particularly in the field of scientific research, positioned as one of the top 5 nations in the field of space exploration.
- India will take a leading role in launching satellites for the SAARC nations, generating revenue by offering its space facilities for use to other countries.
- The engineering R&D and product development market in India is forecasted to grow at a CAGR of 20.55% to reach US\$ 45 billion by 2020 from US\$ 28 billion in FY18.
- India's R&D investments are forecasted to increase to US\$ 94.06 billion in 2019 from an estimated US\$ 86.24 billion in 2018.

- The Union Cabinet has approved the implementation of “Prime Minister Research Fellows (PMRF)” scheme, which will promote the mission of development through innovation, at a total cost of US\$ 245.94 million for a period of seven years beginning 2018-19.
- Under the Union Budget 2019-20, the Government of India announced the largest ever allocation of US\$ 1.77 billion to the Ministry of Science and Technology.
- India is a preferred destination for foreign direct investment (FDI) because of relaxed FDI regulations and other relevant policy reforms.
- India has the world's 2nd highest number of internet users, with 391 million connected users.
- India is ranked 13th in the world at the Nature Index, 2019, based on counts of high-quality research outputs in natural sciences.
- GST has subsumed numerous central, state and municipal taxes and by doing so, it ensures that indirect tax rates and structures are common across the country, thereby increasing certainty and ease of doing business.

2. INDIA AS AN IP FILING DESTINATION

2.1 Cost of filing patent applications in India

The overall cost of getting a patent in India is very low as compared to many countries because of lower Government fee as well as the professional fees of the IP agents and attorneys.

The overall cost of getting a patent in India (from filing till final decision) lies within the range of USD 1,500 – 2,000 (including all official fee).

2.2 LANGUAGE OF PATENT APPLICATION

An application for a patent can be filed either in Hindi or English at the Indian Patent Office. Therefore, if you have an application in English, additional translation efforts and charges are not required.

2.3 REDUCTION IN VARIOUS OFFICIAL FEES

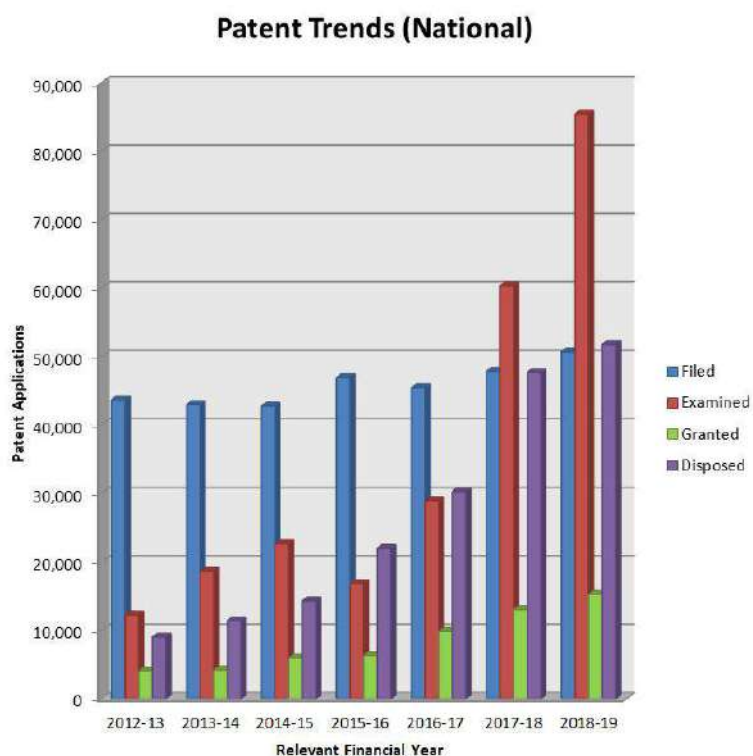
As mentioned above, the official fee for obtaining IP protection in India is very less as compared to other countries. The Government has taken following initiatives to provide further impetus for increase in filing by reducing the fee:

- **Reduction in PCT fees:** In accordance to the latest amendments in the Patent Rules, 2003, enforced on 17th September 2019, the Transmittal fee for International application (for e-PCT filing), fee for preparation of certified copy of priority document and e-transmission through WIPO DAS have been waived off.
- **Fee for MSMEs & Startups proposed to be reduced:** As per the proposal, fee for filing patent applications will be reduced to INR 1,600 from INR 4,000.
- **Refund of fees:** If excess fee gets paid during online filing process or if an applicant wishes to withdraw the patent application then 90% of the fee paid for request for examination or request for expedited examination (as the case may be) shall be refunded provided that the application is at a stage prior to issuance of first statement of objection.
- **Deletion of claims at the time of national phase entry:** The Applicant may delete any unnecessary claims which may not be patentable and/or not desired in India, thus saving the cost of filing additional claims.
- **Startups:** Any entity recognized as a startup by the competent authority (DPIIT) under the Startup India initiative will be eligible to get 80% rebate on the official patent fee. Moreover, it can also avail the benefit of expediting the examination procedure with the IPO.
- **Small entities:** Applicants belonging to the category of micro, small and medium enterprises (MSMEs) are required to pay only 50% of the fee payable by other legal entities namely companies etc. This facility can also be availed by foreign applicants.

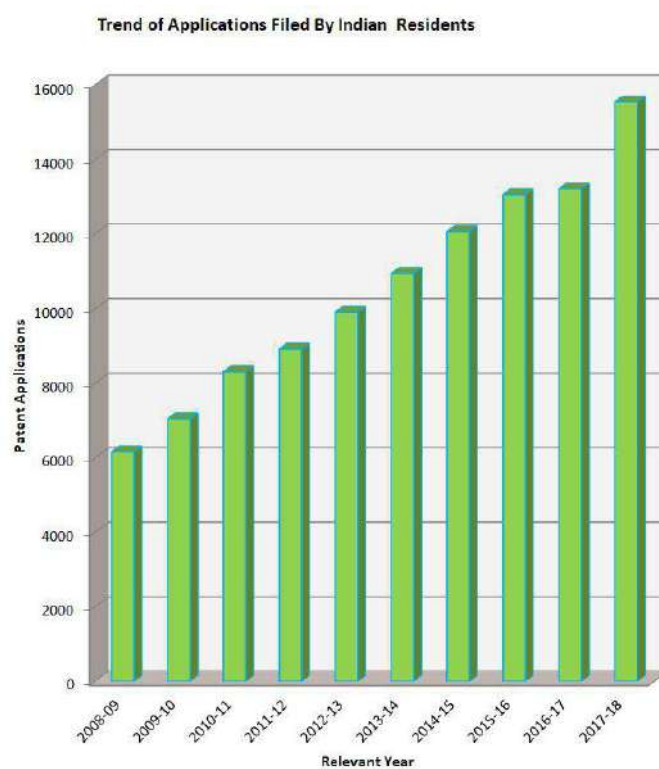
3. IP TRENDS & STATISTICS IN INDIA

3.1 GENERAL PATENT TRENDS

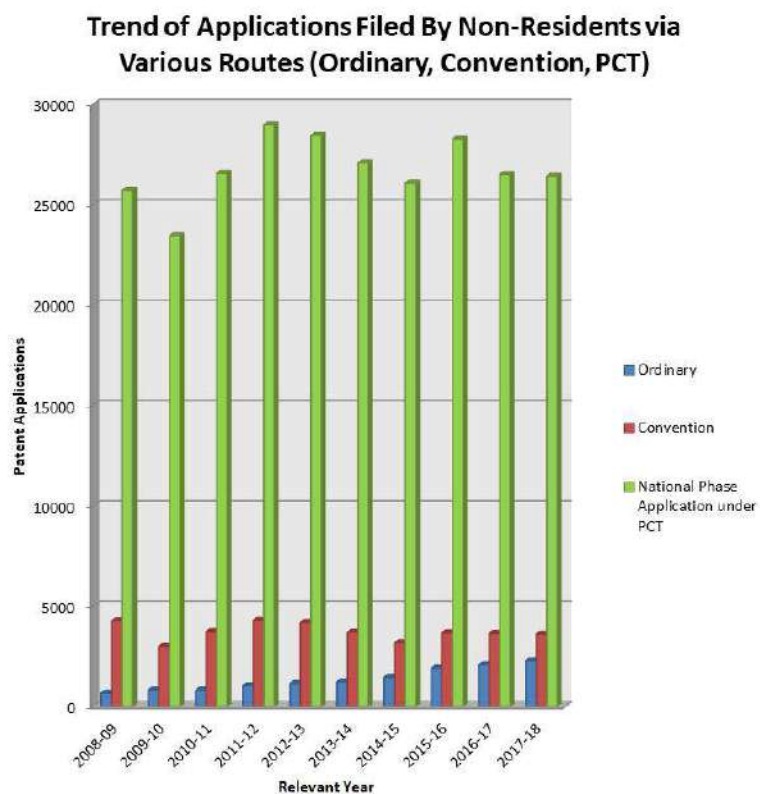
3.1.1 OVERALL FILING, EXAMINATION, GRANT AND DISPOSAL TRENDS (2012 ONWARDS)



3.1.2 TREND OF APPLICATIONS FILED BY INDIAN RESIDENTS

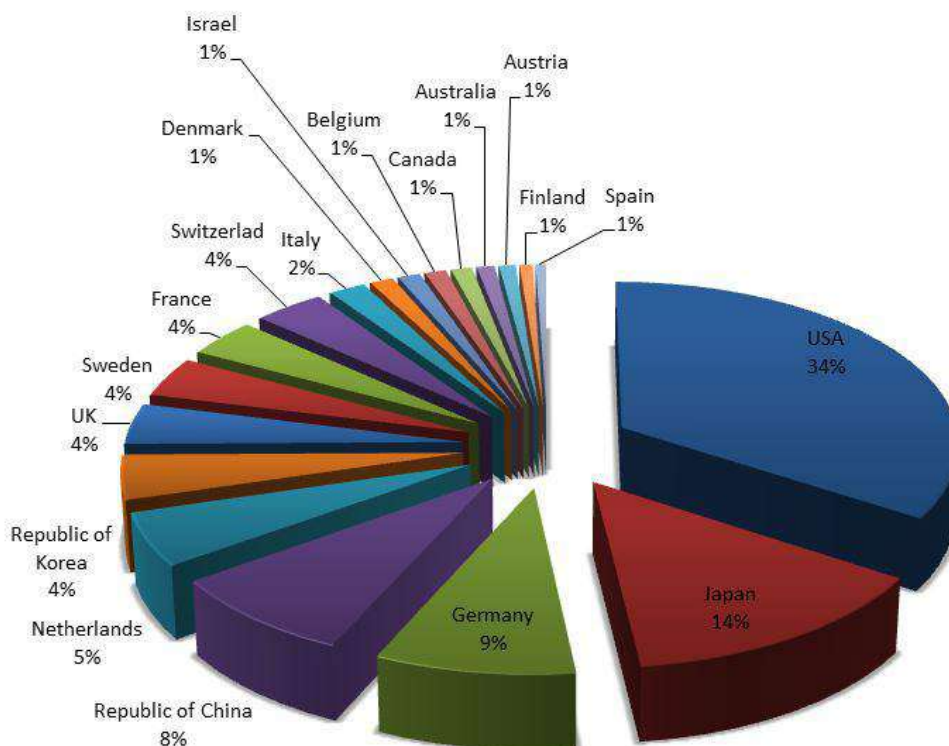


3.1.3 TREND OF APPLICATIONS FILED BY NON-RESIDENTS (COMPARING VARIOUS ROUTES)



3.2 COUNTRY ANALYTICS

3.2.1 TOP COUNTRIES FROM WHERE INDIA RECEIVES MAXIMUM PCT NP ENTRIES



3.2.2 TOP COUNTRIES FROM WHERE INDIA RECEIVES MAXIMUM FILINGS (VIA ANY ROUTE)

Country/ Application Year	2012	2013	2014	2015	2016	2017	2018	2019
US	12184	11385	10246	11360	6460	4733	10225	5841
JP	5590	5133	4143	3572	2071	1744	3654	1975
EP	3571	3409	2767	2552	2008	1338	3214	1633
WO	1826	1900	1906	2132	1538	1255	2731	1711
DE	2713	2434	1888	1486	905	722	1444	798
CN	1067	789	828	1125	1214	968	1943	1178
GB	1132	968	902	888	630	518	1018	525
FR	1167	983	906	833	488	449	841	440
KR	500	589	632	1157	504	513	1464	694
IT	514	499	456	458	269	221	497	218
AU	304	252	233	210	132	116	232	152
SE	320	270	206	180	109	106	176	84
DK	177	146	127	102	70	92	179	84
TW	83	89	75	137	50	166	232	38
AT	138	133	110	110	55	46	96	53
NL	92	80	79	82	69	55	91	41
FI	98	102	88	76	54	37	82	32
CH	106	103	75	67	33	48	82	42
ES	137	79	77	57	36	51	70	36
RU	70	74	63	62	50	47	64	37
IL	69	53	59	58	45	42	57	39
ZA	67	62	56	46	29	21	27	14
NO	74	43	41	33	33	17	42	19

BE	39	45	47	50	23	16	55	21
CA	46	33	45	45	28	10	27	20
BR	50	33	30	31	25	31	28	24
PL	36	36	37	36	13	8	35	9
SG	8	23	21	10	15	19	67	35
Other Countries	241	248	225	249	131	137	267	152

This table shows the total number of filings by respective priority seeking countries in India from 2012 – 2019.

Total 116 countries have taken priority in their respective jurisdiction and then they have filed patent in India. The top 28 countries have been shown above.

Other jurisdictions include MY, NZ, TR, CZ, HU, LU, AR, PT, CL, TH, MX, UA, GR, IE, CU, SK, FL, EA, BG, HK, RO, SI, ID, VN, CO, EG, PH, LV, KZ, KE, HR, PE, IS, RS, TN, GE, AM, UZ, FN, DO, IB, PK, MA, LK, DZ, UK, AG, IR, EE, AN, AZ, MD, BI, BD, OM, LB, AE, SZ, TI, UY, MC, MK, SW, SA, QA, FP, ZM, BO, ER, UG, BH, SD, SM, SH, SP, LT, NG, NP, CY, OA, DM, BY, PO, ET, BA, PY and GH.

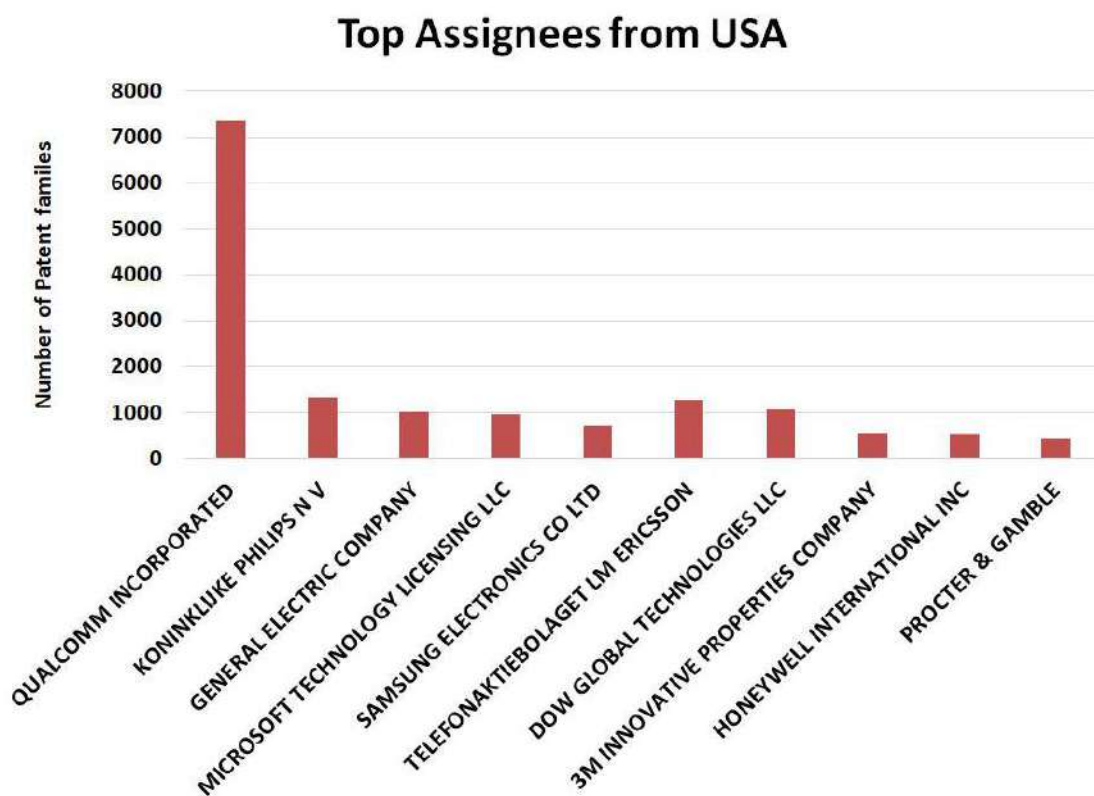
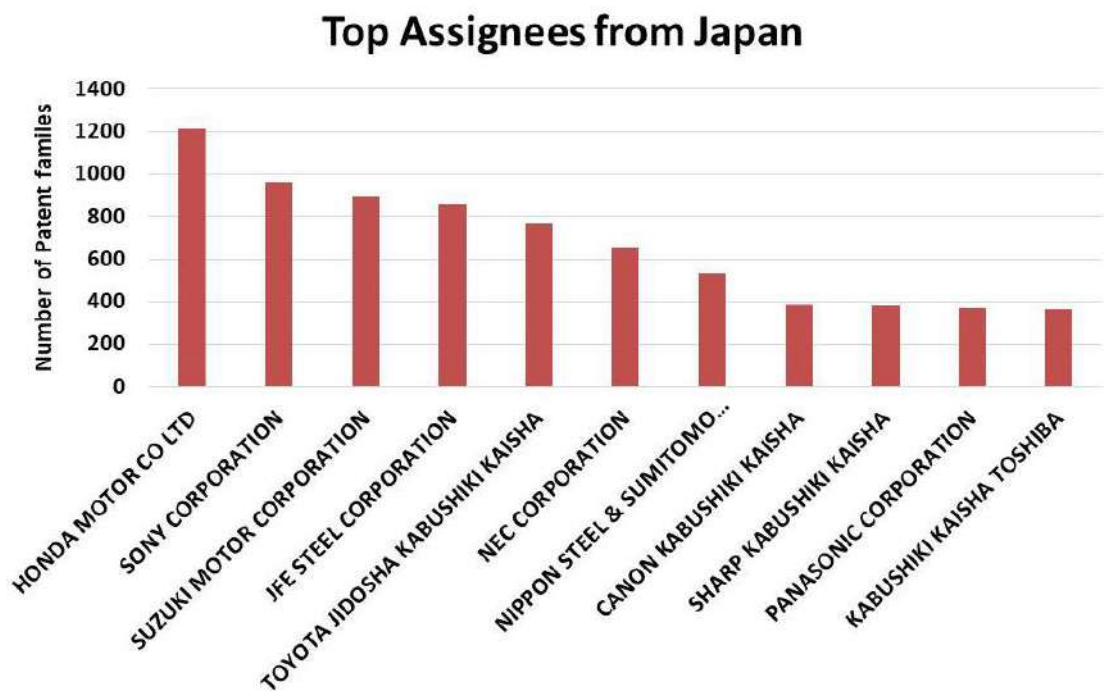
3.2.3 TOP COUNTRIES WHERE INDIANS FILE MAXIMUM PATENTS (VIA ANY ROUTE)

Country/Application Year	2012	2013	2014	2015	2016	2017	2018	2019
US	1984	2476	2801	3416	3584	4027	4267	4034
WO	2408	2338	2457	2416	2499	2259	2339	2132
EP	1034	1257	1314	1312	1568	1796	2065	1822
CN	558	655	757	799	939	892	1016	909
JP	311	539	525	541	599	604	569	476
AU	349	386	396	410	470	431	427	340
KR	231	305	435	406	421	337	388	258
CA	228	261	298	300	323	320	291	119
BR	49	57	82	201	305	558	344	291
MX	123	109	107	127	203	190	204	102
RU	93	104	120	113	133	132	153	130
GB	84	88	69	83	110	171	214	143
SG	66	98	136	129	118	176	148	68
ZA	152	108	114	107	103	110	30	117

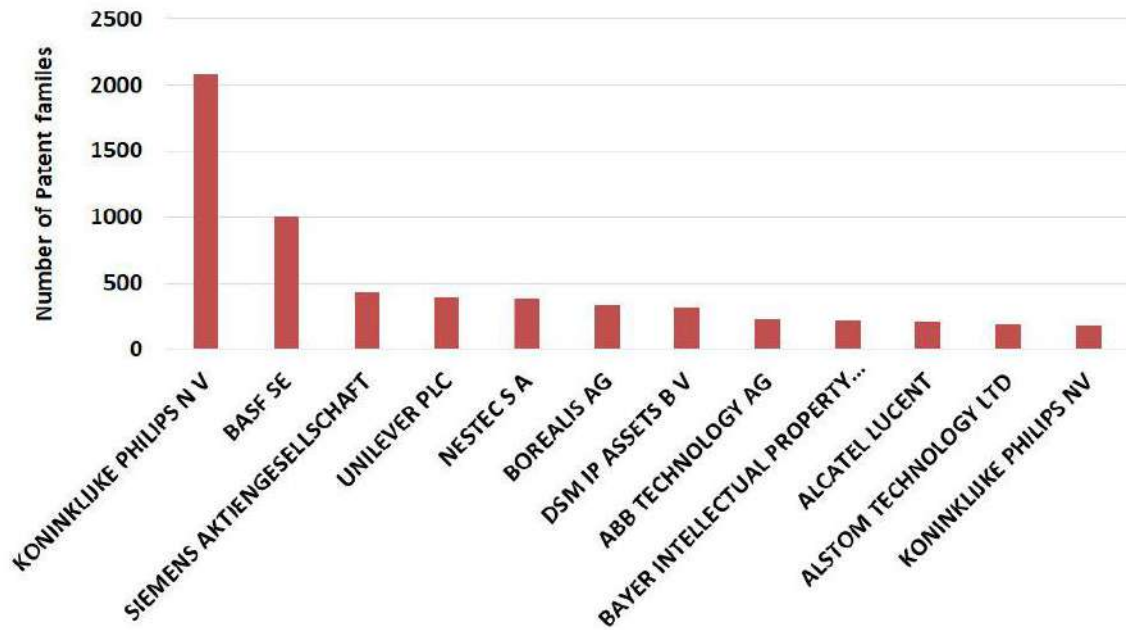
This table shows the number of Indian priority patents that are filed in different jurisdiction from 2012 – 2019.

3.3 ASSIGNEE ANALYTICS

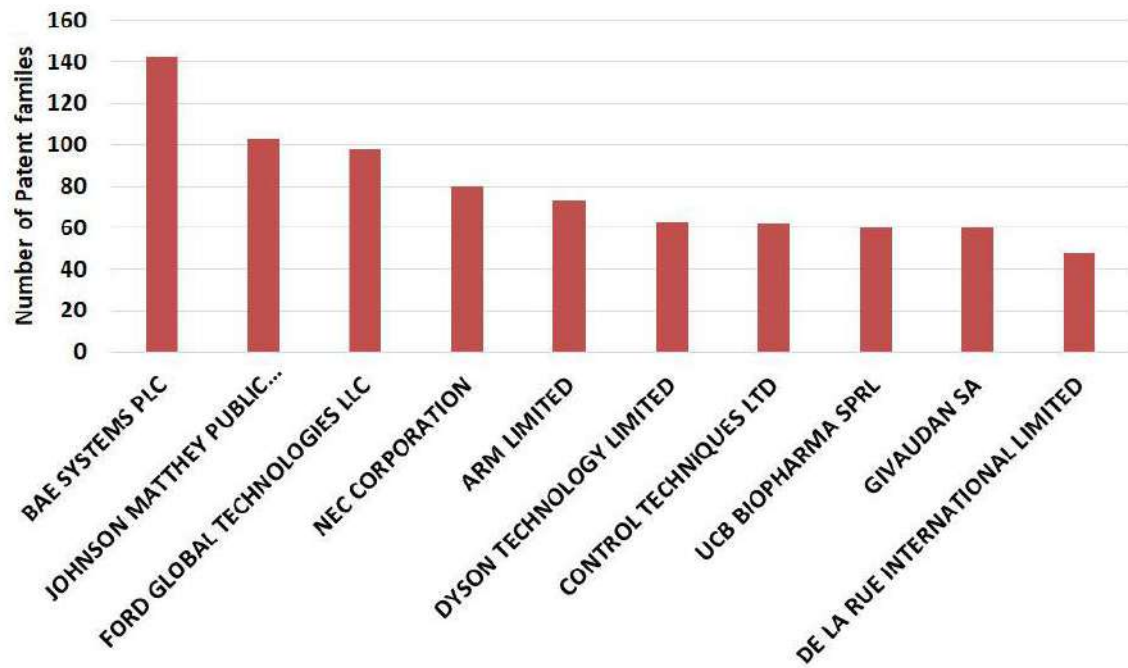
3.3.1 Top Foreign Assignees filing in india – country-wise



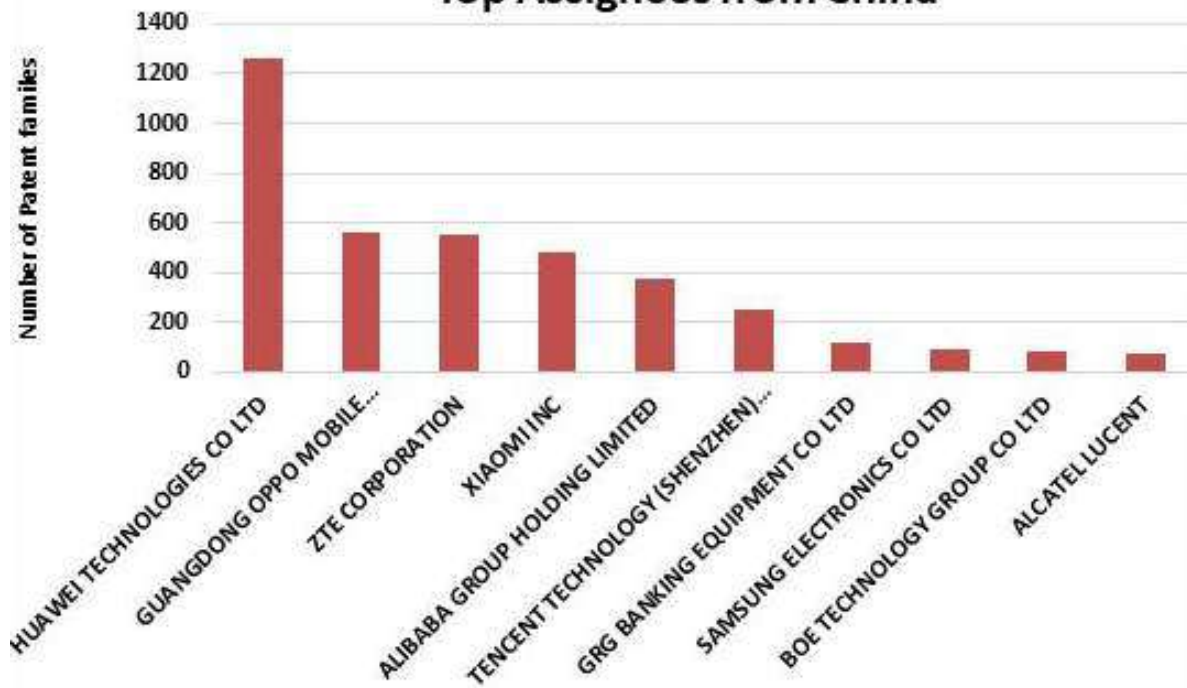
Top Assignees from Europe



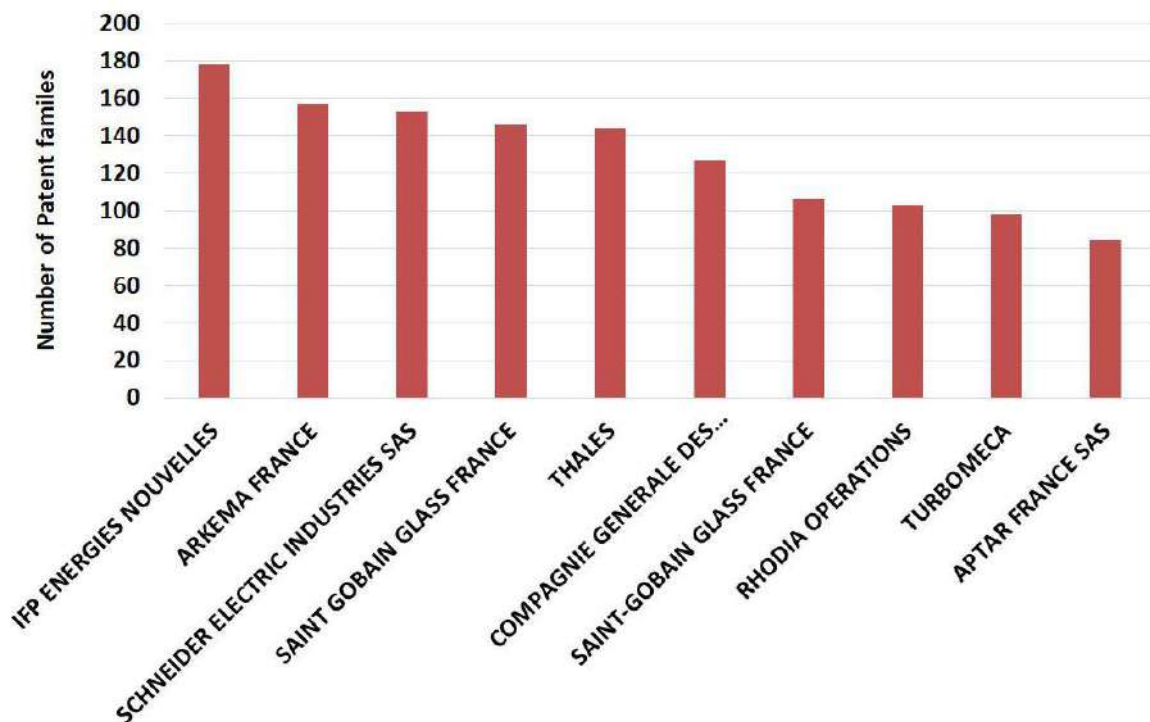
Top Assignees from Great Britain



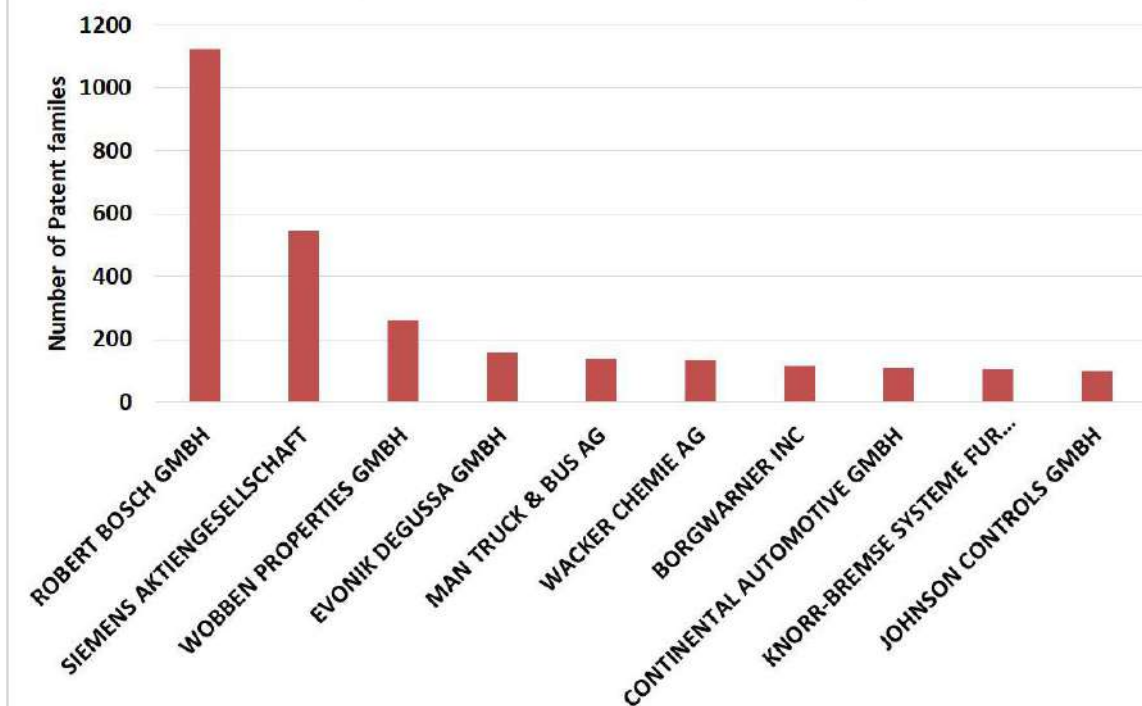
Top Assignees from China



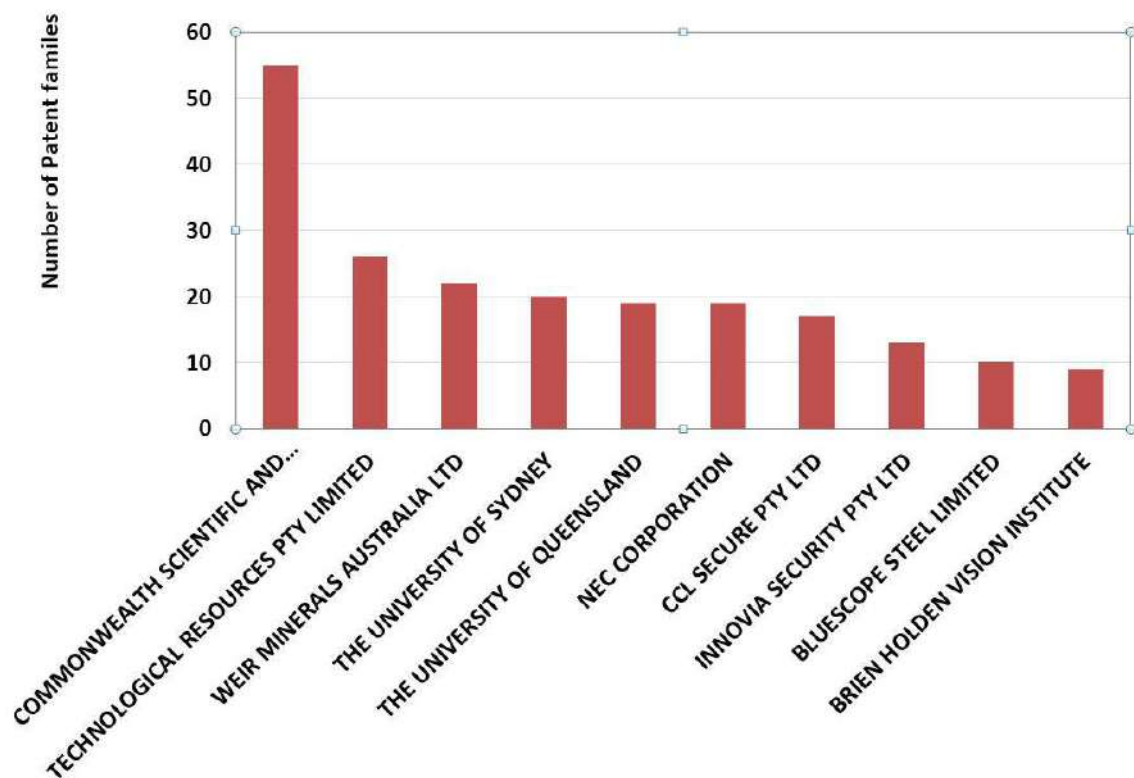
Top Assignees from France



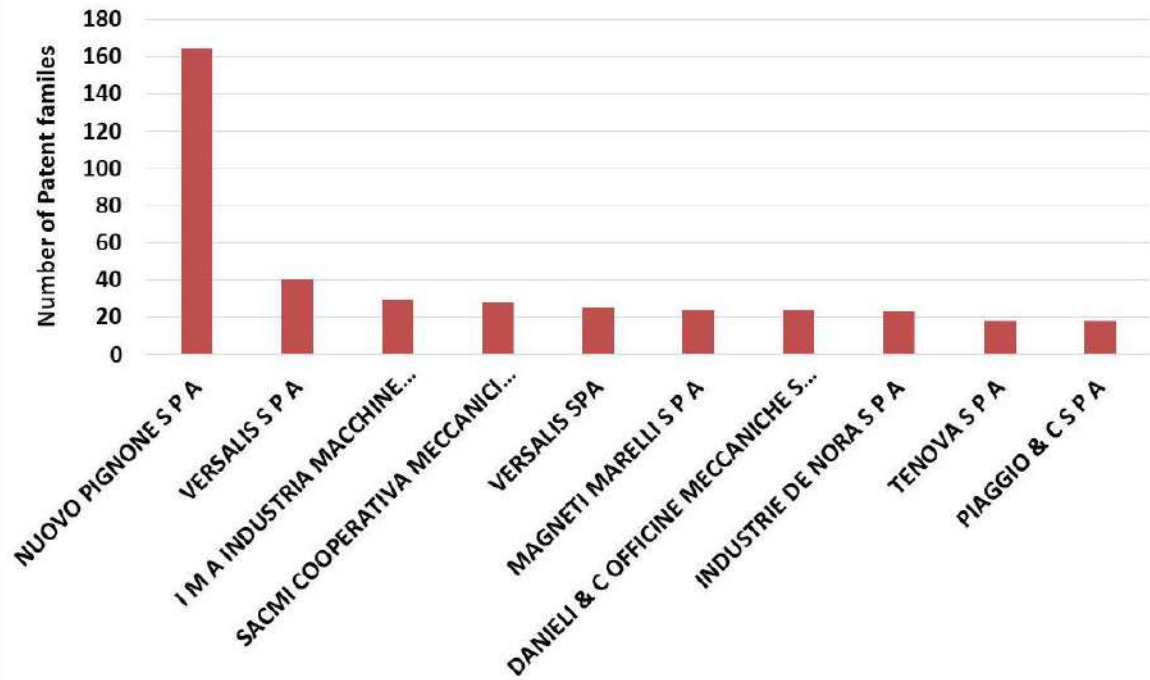
Top Assignees from Germany



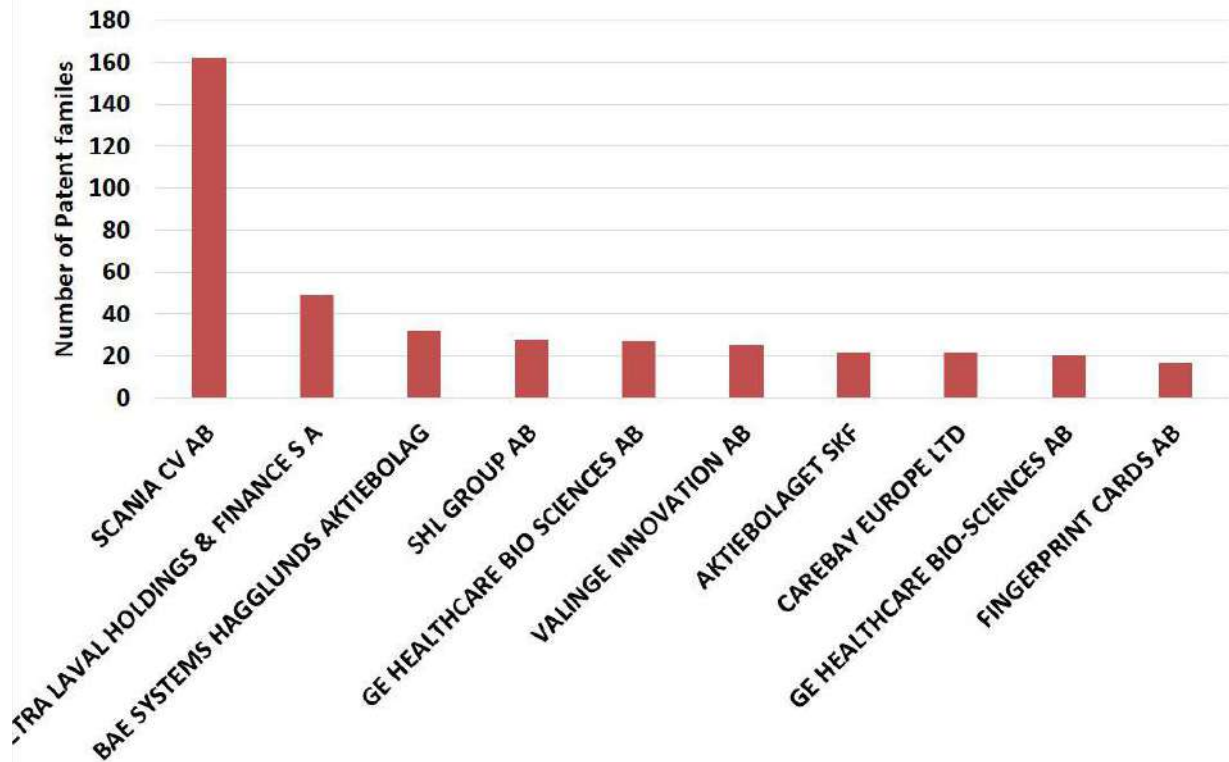
Top Assignees from Australia



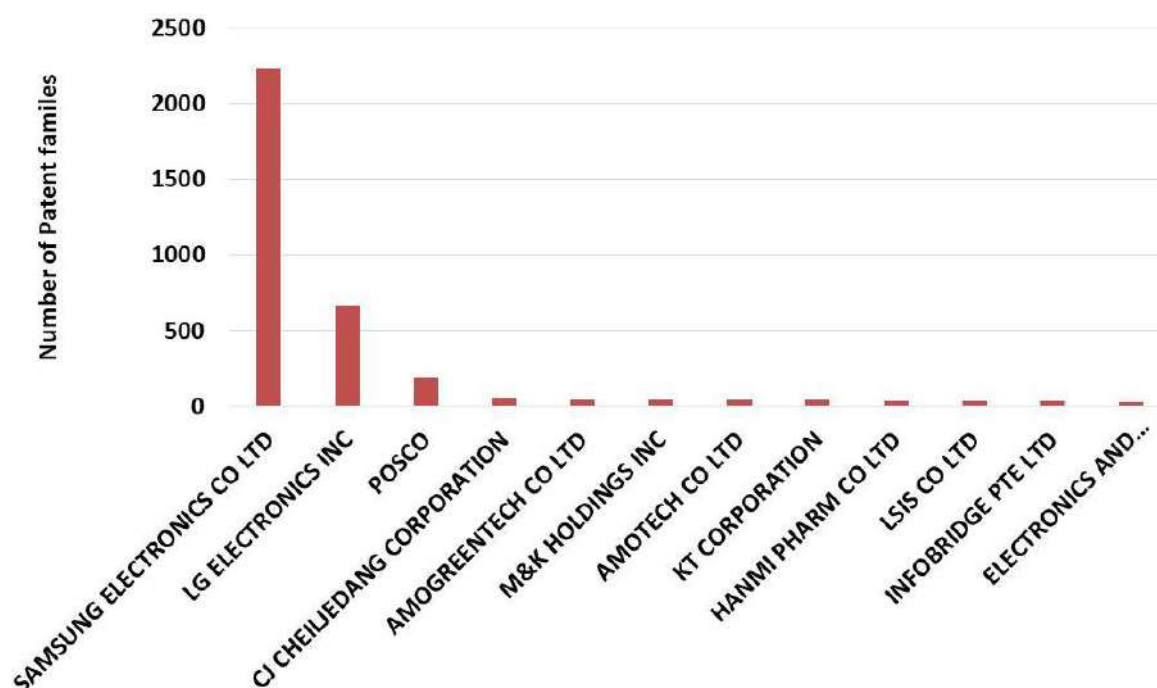
Top Assignees from Italy



Top Assignees from Sweden

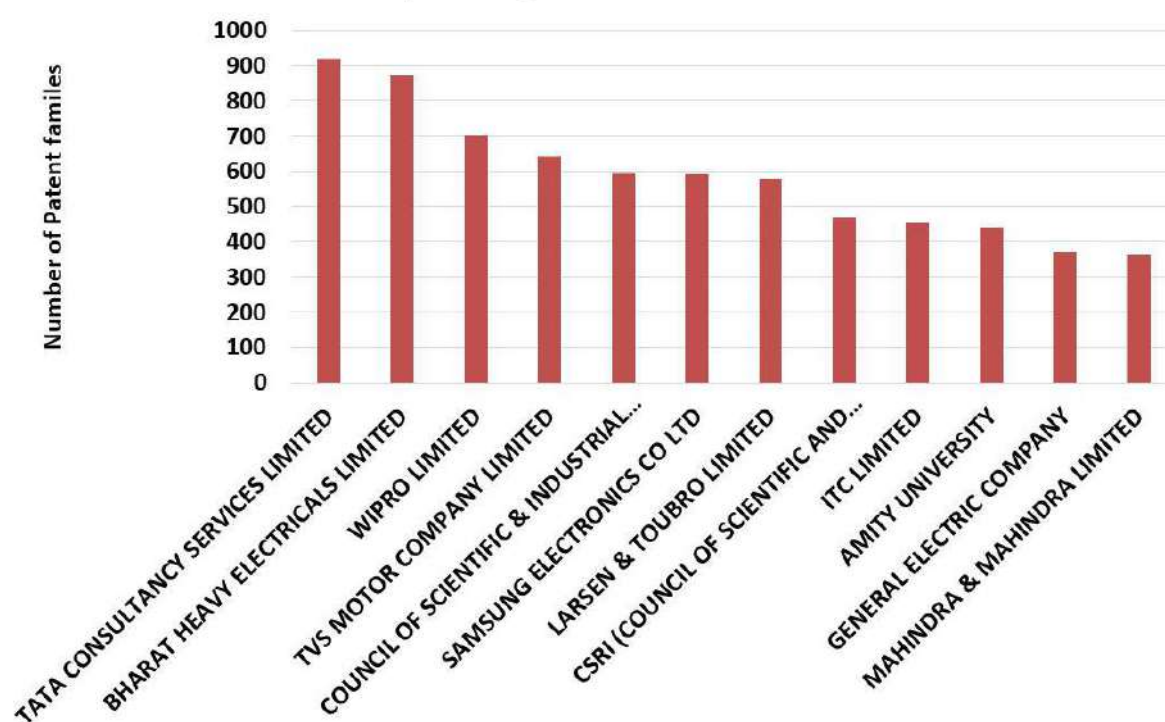


Top Assignees from Korea



3.3.2 TOP INDIAN RESIDENT ASSIGNEES FILING IN INDIA

Top Assignees from India



3.4 IPC/ TECHNOLOGY WISE ANALYTICS

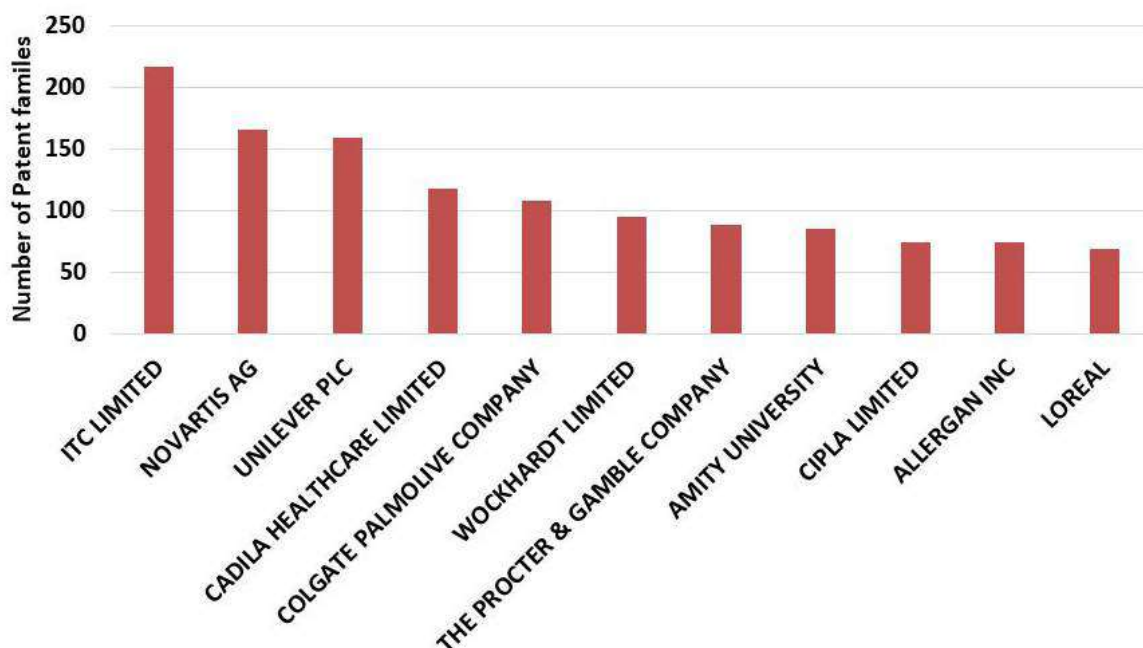
3.4.1 TOP IPC CLASSES FROM ALL PATENTS FILED IN INDIA (2012 ONWARDS)

IPC/Filing Year	2012	2013	2014	2015	2016	2017	2018	CAGR
A61K	2463	2175	2159	1781	1445	1497	1815	-4%
G06F	1802	2005	1820	1990	1796	1362	1946	1%
H04W	1469	1142	1130	1517	1095	788	1783	3%
H04L	1168	1045	852	967	864	779	1319	2%
C07D	1413	1367	1208	1101	776	634	900	-6%
A61B	868	904	747	748	629	585	956	1%
H04N	749	728	670	738	576	328	710	-1%
C07C	1353	715	635	508	319	351	442	-15%
G06Q	582	531	564	531	572	504	628	1%
G01N	681	618	556	520	374	360	498	-4%
C12N	733	570	569	453	329	279	491	-6%
H01L	577	529	384	380	319	292	455	-3%
A61M	609	565	440	406	245	220	402	-6%
C07K	424	458	397	367	240	283	570	4%

A61K	HUMAN NECESSITIES >> MEDICAL OR VETERINARY SCIENCE; HYGIENE >> PREPARATIONS FOR MEDICAL, DENTAL, OR TOILET PURPOSES
G06F	PHYSICS >> COMPUTING; CALCULATING; COUNTING >> ELECTRICAL DIGITAL DATA PROCESSING
H04W	ELECTRICITY >> ELECTRIC COMMUNICATION TECHNIQUE >> WIRELESS COMMUNICATIONS NETWORKS
H04L	ELECTRICITY >> ELECTRIC COMMUNICATION TECHNIQUE >> TRANSMISSION OF DIGITAL INFORMATION, e.g. TELEGRAPHIC COMMUNICATION
C07D	CHEMISTRY; METALLURGY >> ORGANIC CHEMISTRY >> HETEROCYCLIC COMPOUNDS
A61B	HUMAN NECESSITIES >> MEDICAL OR VETERINARY SCIENCE; HYGIENE >> DIAGNOSIS; SURGERY; IDENTIFICATION
H04N	ELECTRICITY >> ELECTRIC COMMUNICATION TECHNIQUE >> PICTORIAL COMMUNICATION, e.g. TELEVISION
C07C	CHEMISTRY; METALLURGY >> ORGANIC CHEMISTRY >> ACYCLIC OR CARBOCYCLIC COMPOUNDS
G06Q	PHYSICS >> COMPUTING; CALCULATING; COUNTING >> DATA PROCESSING SYSTEMS OR METHODS, SPECIALLY ADAPTED FOR ADMINISTRATIVE, COMMERCIAL, FINANCIAL, MANAGERIAL, SUPERVISORY OR FORECASTING PURPOSES; SYSTEMS OR METHODS SPECIALLY ADAPTED FOR ADMINISTRATIVE, COMMERCIAL, FINANCIAL, MANAGERIAL, SUPERVISORY OR FORECASTING PURPOSES, NOT OTHERWISE PROVIDED FOR
G01N	PHYSICS >> MEASURING; TESTING >> INVESTIGATING OR ANALYSING MATERIALS BY DETERMINING THEIR CHEMICAL OR PHYSICAL PROPERTIES
C12N	CHEMISTRY; METALLURGY >> BIOCHEMISTRY; BEER; SPIRITS; WINE; VINEGAR; MICROBIOLOGY; ENZYMOLOGY; MUTATION OR GENETIC ENGINEERING >> MICROORGANISMS OR ENZYMES; COMPOSITIONS THEREOF; PROPAGATING, PRESERVING OR MAINTAINING MICROORGANISMS; MUTATION OR GENETIC ENGINEERING; CULTURE MEDIA
H01L	ELECTRICITY >> BASIC ELECTRIC ELEMENTS >> SEMICONDUCTOR DEVICES; ELECTRIC SOLID STATE DEVICES NOT OTHERWISE PROVIDED FOR
A61M	HUMAN NECESSITIES >> MEDICAL OR VETERINARY SCIENCE; HYGIENE >> DEVICES FOR INTRODUCING MEDIA INTO, OR ONTO, THE BODY; DEVICES FOR TRANSDUCING BODY MEDIA OR FOR TAKING MEDIA FROM THE BODY; DEVICES FOR PRODUCING OR ENDING SLEEP OR STUPOR
C07K	CHEMISTRY; METALLURGY >> ORGANIC CHEMISTRY >> PEPTIDES

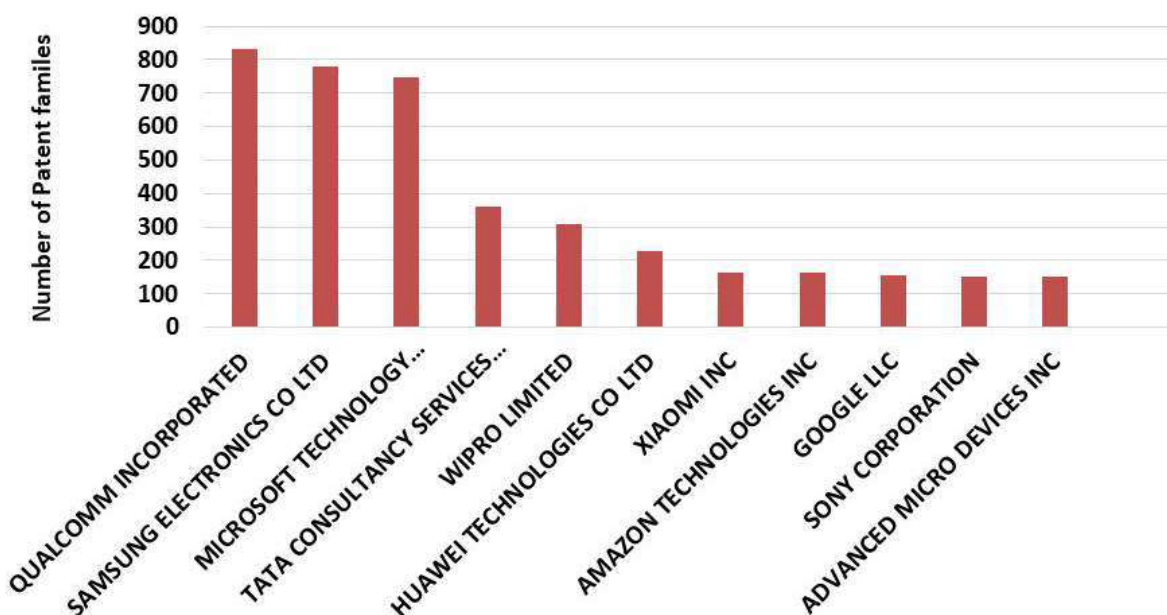
3.4.1.1 TOP 10 ASSIGNEES IN INDIA FOR EACH OF TOP 10 IPC CLASSES

Top Assignees - A61K



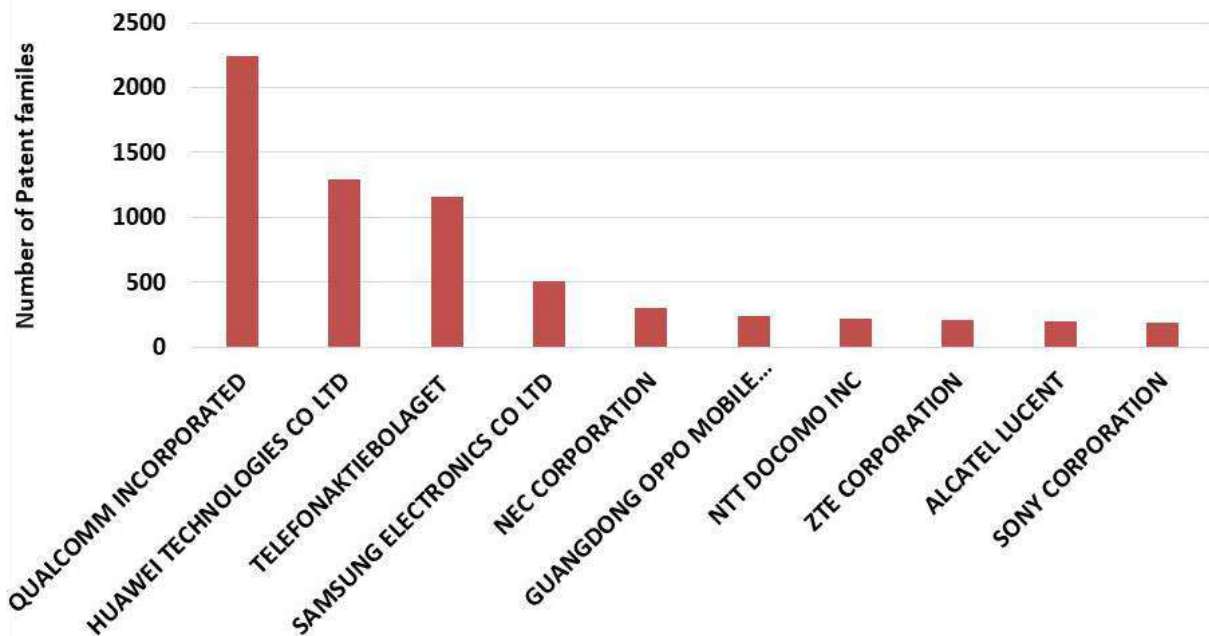
A61K - Human necessities >> medical or veterinary science; hygiene >> preparations for medical, dental, or toilet purposes

Top Assignees - G06F



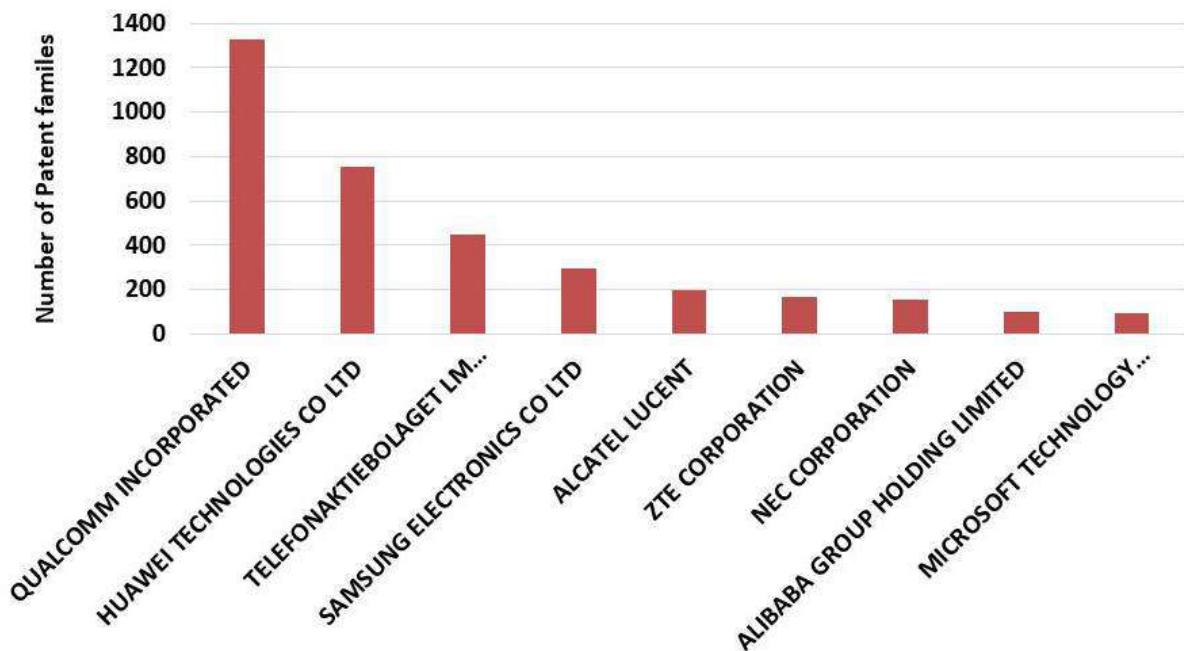
G06F - Physics >> Computing; Calculating; Counting >> Electrical Digital Data Processing

Top Assignee - H0W4



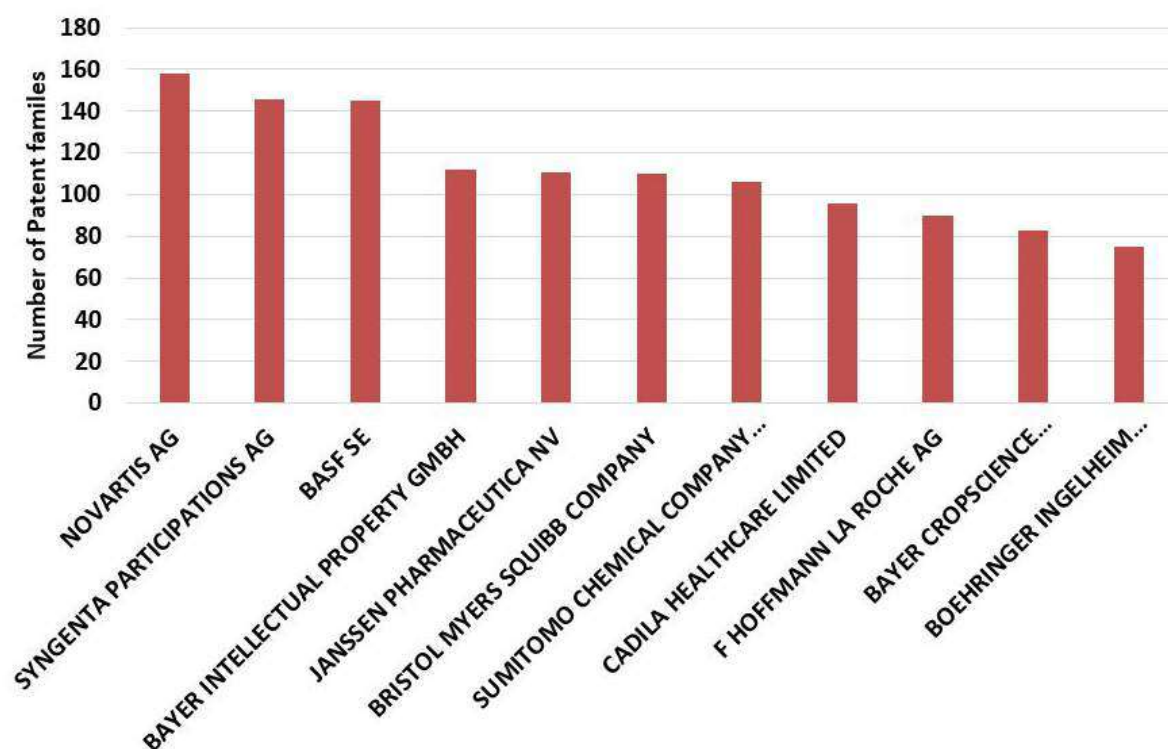
H04W - Electricity >> Electric Communication Technique >> Wireless Communications Networks

Top Assignee - H04L



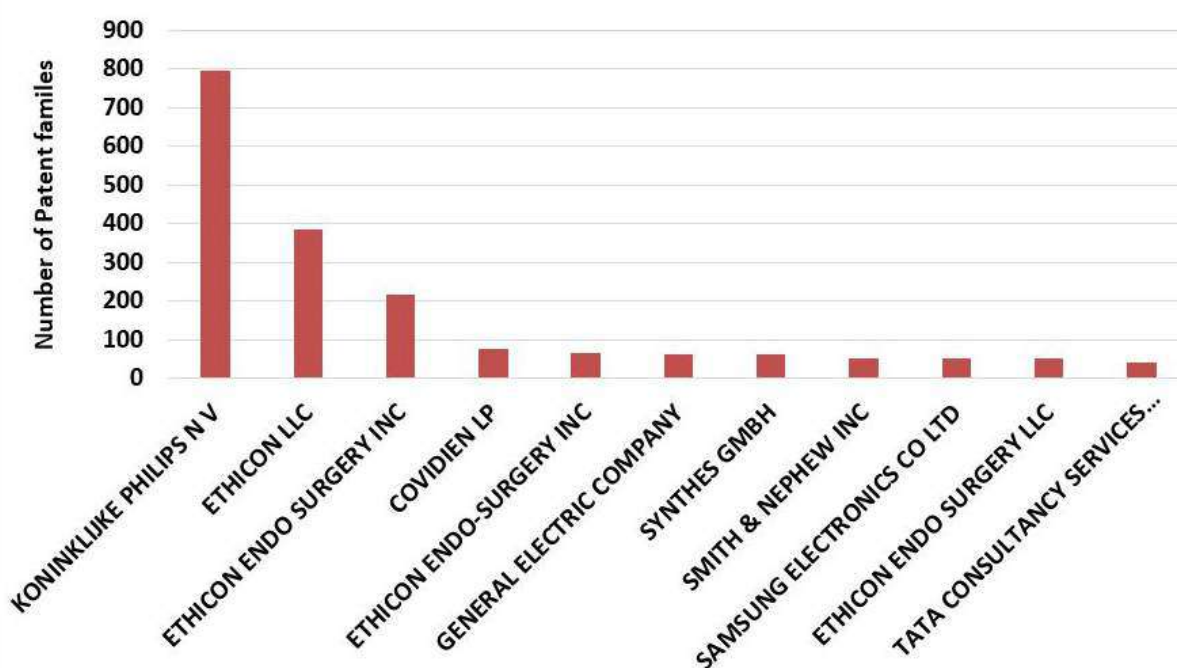
H04L - Electricity >> Electric Communication Technique >> Transmission Of Digital Info

Top Assignee - C07D



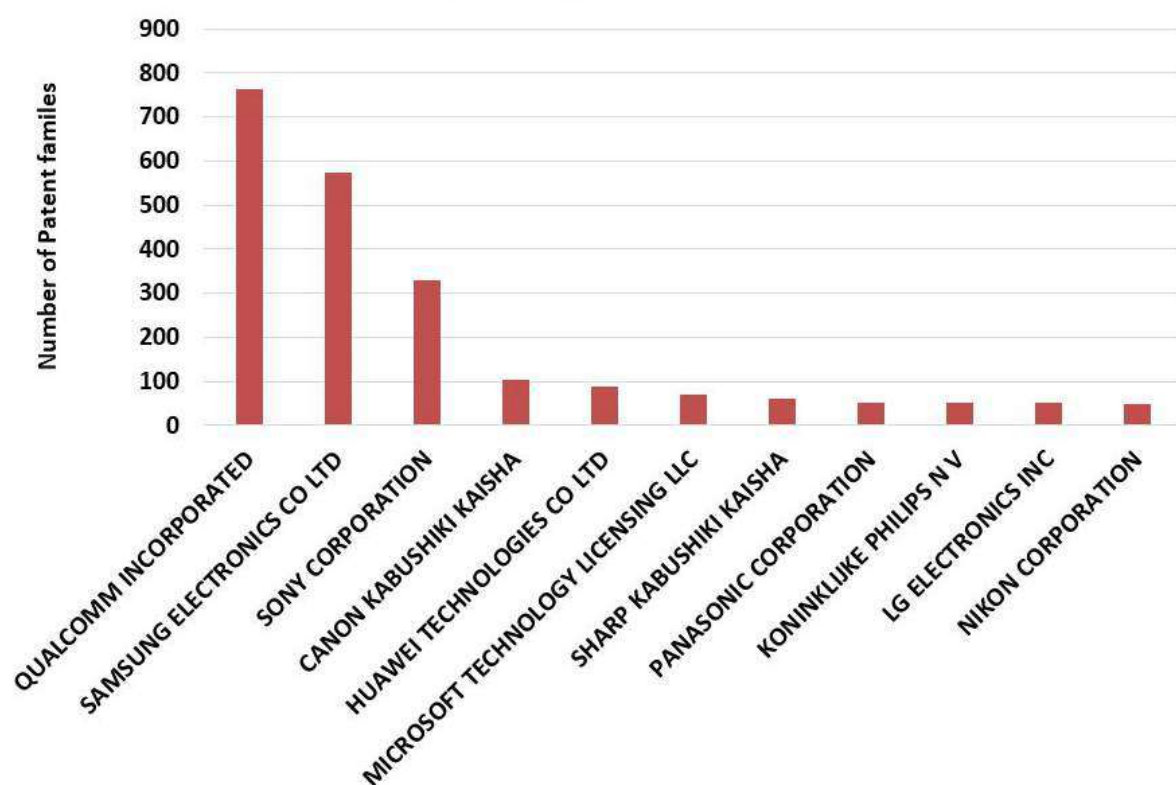
C07D - Chemistry; Metallurgy >> Organic Chemistry >> Heterocyclic Compounds

Top Assignee - A61B



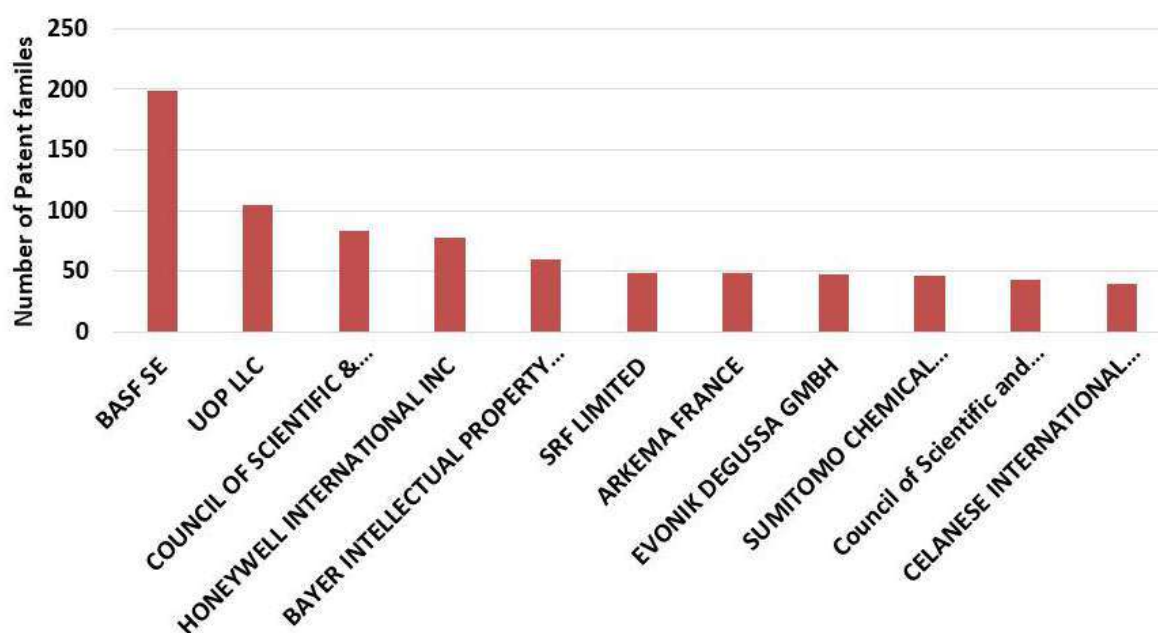
A61B - Human Necessities >> Medical Or Veterinary Science; Hygiene >> Diagnosis; Surgery; Identification

Top Assignee - H04N



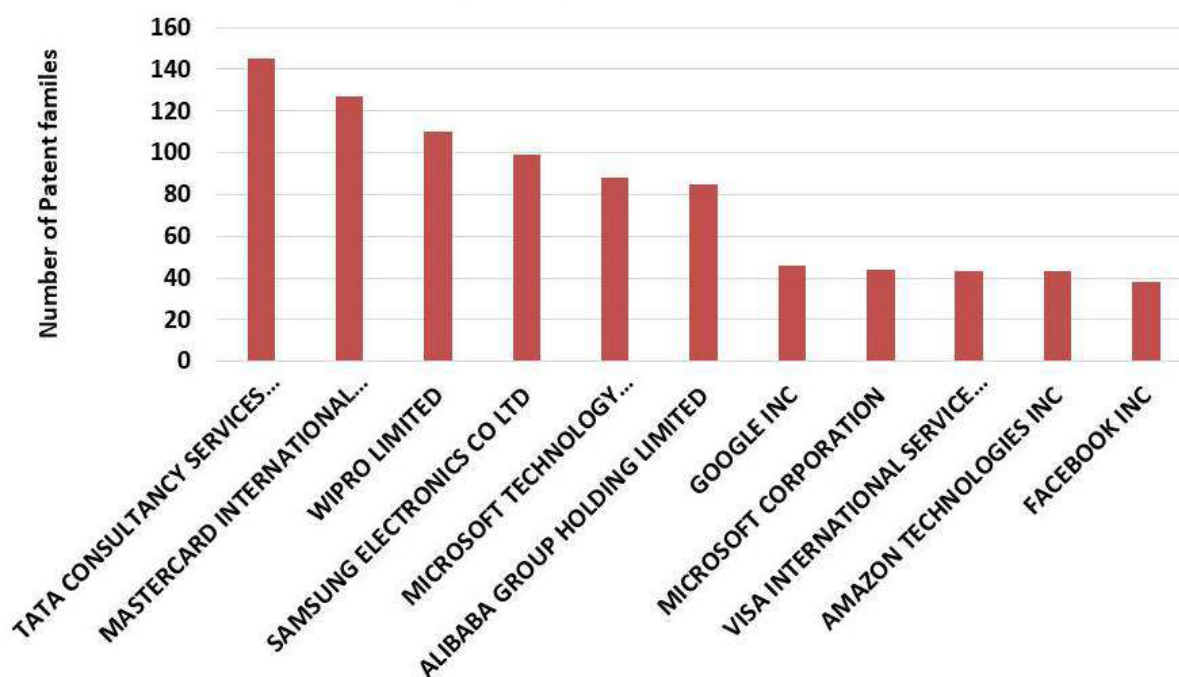
H04N - Electricity >> Electric Communication Technique >> Pictorial Communication, E.G. Television

Top Assignee - C07C



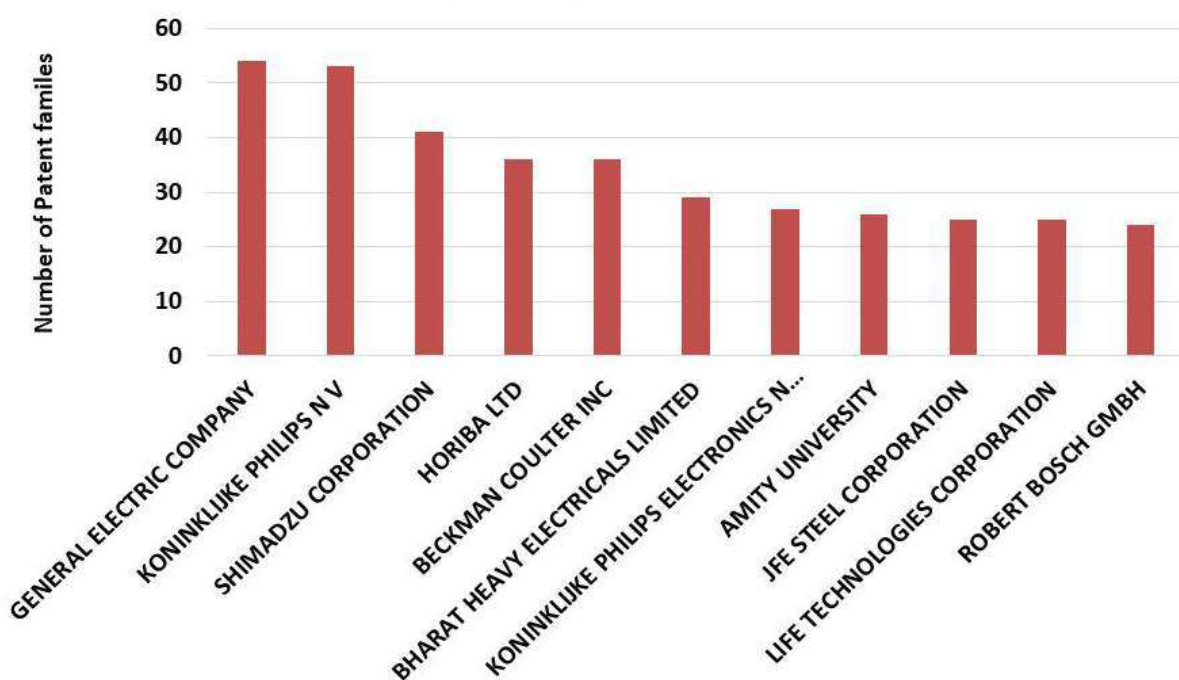
C07C - Chemistry; Metallurgy >> Organic Chemistry >> Acyclic Or Carbocyclic Compounds

Top Assignee - G06Q



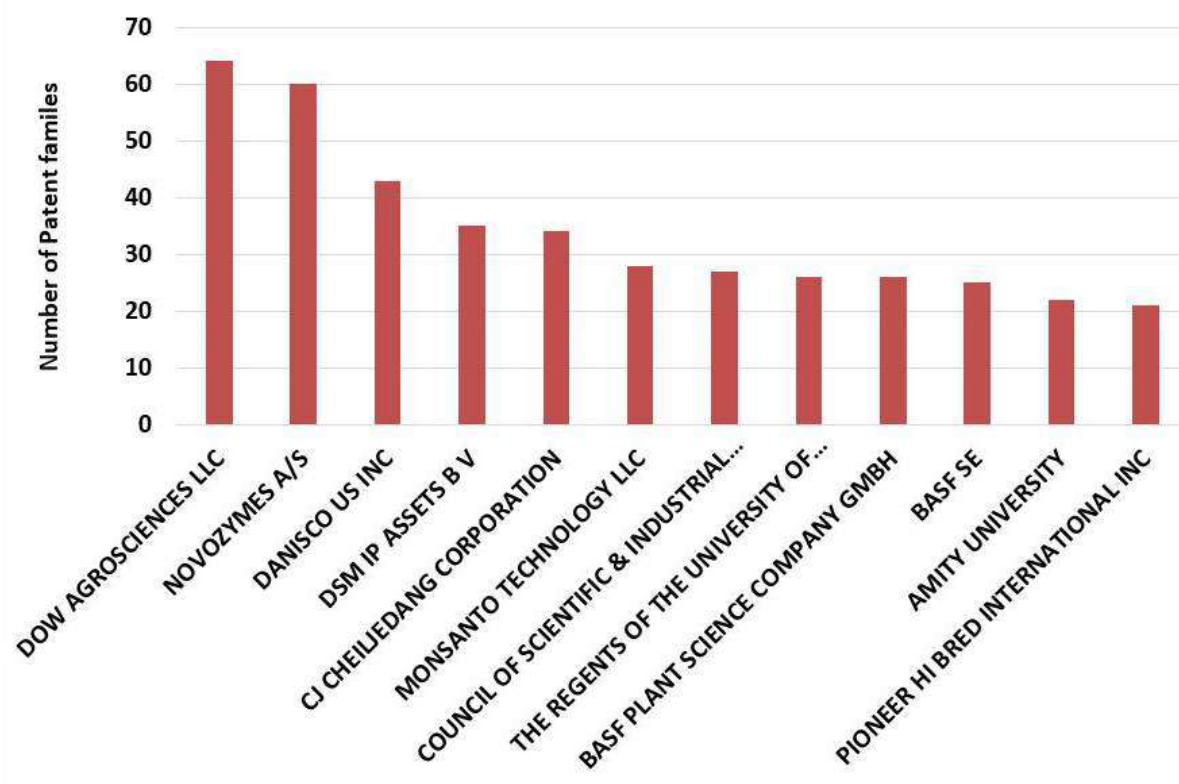
G06Q - Chemistry; Metallurgy >> Organic Chemistry >> Heterocyclic Compounds

Top Assignee - G01N



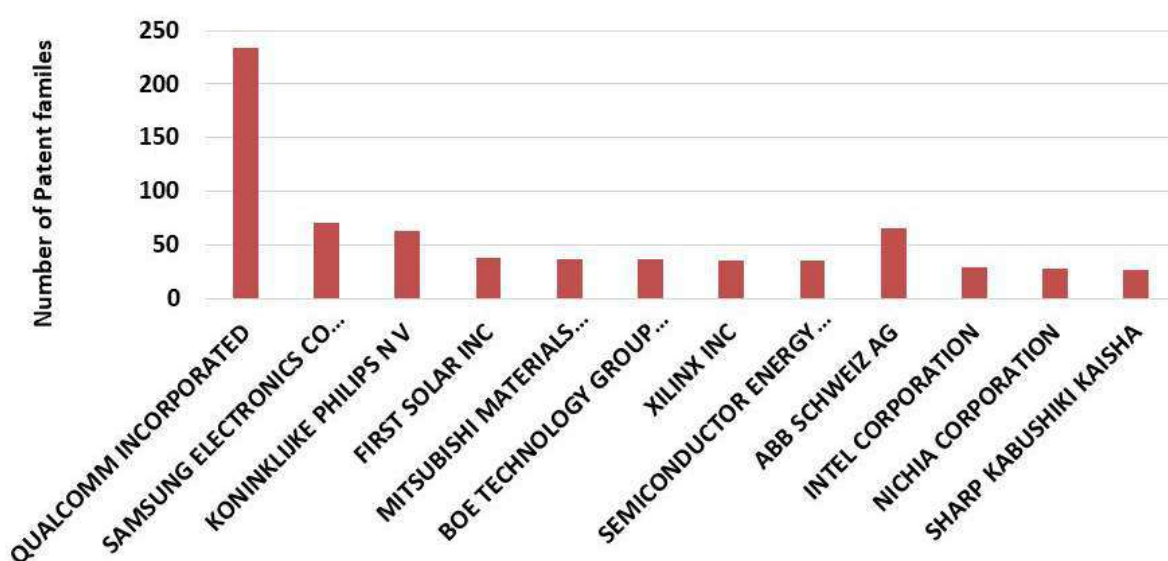
G01N - Chemistry; Metallurgy >> Organic Chemistry >> Heterocyclic Compounds

Top Assignee - C12N



C12N - Chemistry; Metallurgy >> Organic Chemistry >> Heterocyclic Compounds

Top Assignee - H01L



H01L - Electricity >> Basic Electric Elements >> Semiconductor Devices; Electric Solid State Devices Not Otherwise Provided For

3.4.2 14 IPC CLASSES RECORDING HIGHEST ANNUAL GROWTH SINCE 2012

IPC/Filing Year	2012	2013	2014	2015	2016	2017	2018	CAGR
F24S	0	0	0	1	1	9	31	136%
H02S	0	0	3	9	12	37	52	77%
F01K	43	68	48	39	30	339	377	36%
F01M	23	25	17	30	26	60	161	32%
G06N	12	21	26	21	50	47	70	29%
F24D	11	10	8	9	4	6	47	23%
A42B	7	27	7	8	12	24	26	21%
G08G	36	67	88	57	74	85	117	18%
D06F	50	55	77	64	73	92	130	15%
A61Q	25	48	57	89	73	39	62	14%
A24F	13	15	49	42	43	23	32	14%
B24B	46	47	38	28	22	59	101	12%
A63B	32	46	45	43	35	42	67	11%
A45D	14	16	26	19	16	15	29	11%

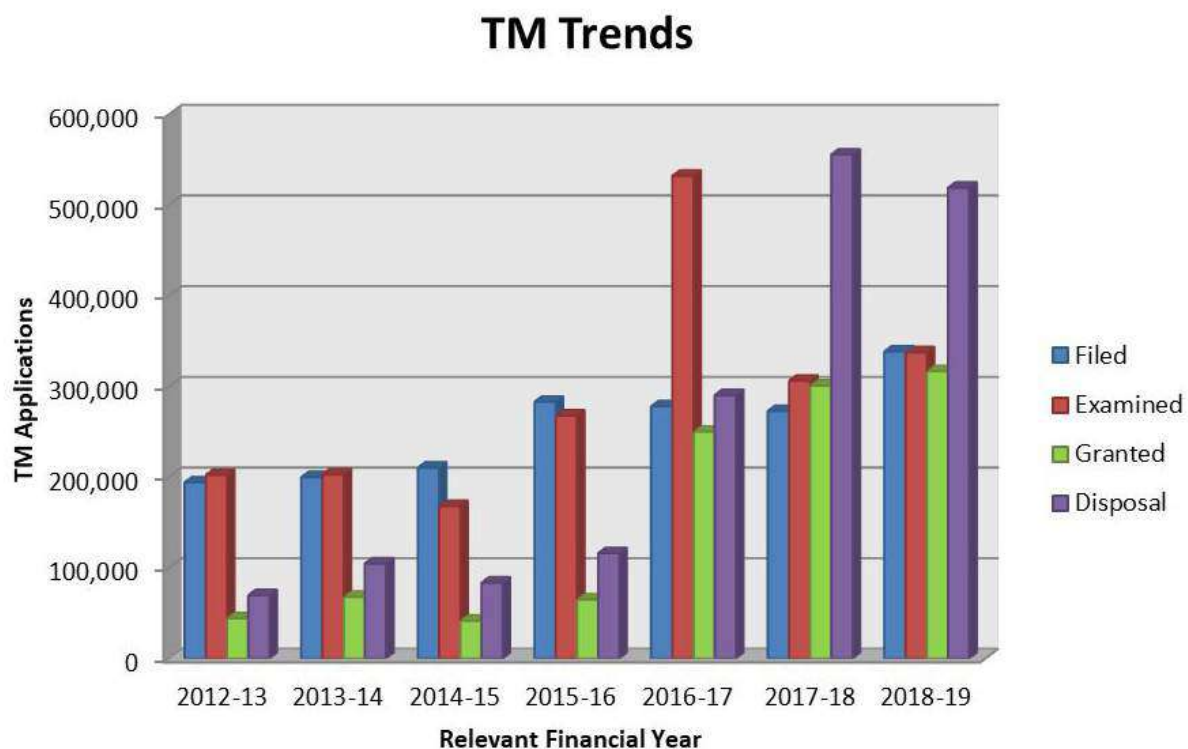
F24S	Mechanical Engineering; Lighting; Heating; Weapons; Blasting >> Heating; Ranges; Ventilating >> Solar Heat Collectors; Solar Heat Systems
H02S	ELECTRICITY >> GENERATION; CONVERSION OR DISTRIBUTION OF ELECTRIC POWER >> GENERATION OF ELECTRIC POWER BY CONVERSION OF INFRA-RED RADIATION, VISIBLE LIGHT OR ULTRAVIOLET LIGHT, e.g. USING PHOTOVOLTAIC [PV] MODULES
F01K	MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING >> MACHINES OR ENGINES IN GENERAL; ENGINE PLANTS IN GENERAL; STEAM ENGINES >> STEAM ENGINE PLANTS; STEAM ACCUMULATORS; ENGINE PLANTS NOT OTHERWISE PROVIDED FOR; ENGINES USING SPECIAL WORKING FLUIDS OR CYCLES
F01M	MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING >> MACHINES OR ENGINES IN GENERAL; ENGINE PLANTS IN GENERAL; STEAM ENGINES >> LUBRICATING OF MACHINES OR ENGINES IN GENERAL; LUBRICATING INTERNAL COMBUSTION ENGINES; CRANKCASE VENTILATING
G06N	PHYSICS >> COMPUTING; CALCULATING; COUNTING >> COMPUTER SYSTEMS BASED ON SPECIFIC COMPUTATIONAL MODELS
F24D	MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING >> HEATING; RANGES; VENTILATING >> DOMESTIC- OR SPACE-HEATING SYSTEMS, e.g. CENTRAL HEATING SYSTEMS; DOMESTIC HOT-WATER SUPPLY SYSTEMS; ELEMENTS OR COMPONENTS THEREFOR
A42B	HUMAN NECESSITIES >> HEADWEAR >> HATS; HEAD COVERINGS
G08G	PHYSICS >> SIGNALLING >> TRAFFIC CONTROL SYSTEMS
D06F	TEXTILES; PAPER >> TREATMENT OF TEXTILES OR THE LIKE; LAUNDERING; FLEXIBLE MATERIALS NOT OTHERWISE PROVIDED FOR >> LAUNDERING, DRYING, IRONING, PRESSING OR FOLDING TEXTILE ARTICLES
A61Q	HUMAN NECESSITIES >> MEDICAL OR VETERINARY SCIENCE; HYGIENE >> SPECIFIC USE OF COSMETICS OR SIMILAR TOILET PREPARATIONS
A24F	HUMAN NECESSITIES >> TOBACCO; CIGARS; CIGARETTES; SMOKERS' REQUISITES >> SMOKERS' REQUISITES; MATCH BOXES
B24B	PERFORMING OPERATIONS; TRANSPORTING >> GRINDING; POLISHING >> MACHINES, DEVICES, OR PROCESSES FOR GRINDING OR POLISHING; DRESSING OR CONDITIONING OF ABRADING SURFACES; FEEDING OF GRINDING, POLISHING, OR LAPPING AGENTS
A63B	HUMAN NECESSITIES >> SPORTS; GAMES; AMUSEMENTS >> APPARATUS FOR PHYSICAL TRAINING, GYMNASTICS, SWIMMING, CLIMBING, OR FENCING; BALL GAMES; TRAINING EQUIPMENT
A45D	HUMAN NECESSITIES >> HAND OR TRAVELLING ARTICLES >> HAIRDRESSING OR SHAVING EQUIPMENT; MANICURING OR OTHER COSMETIC TREATMENT

3.4.3 10 IPC CLASSES RECORDING HIGHEST ANNUAL DECLINE SINCE 2012

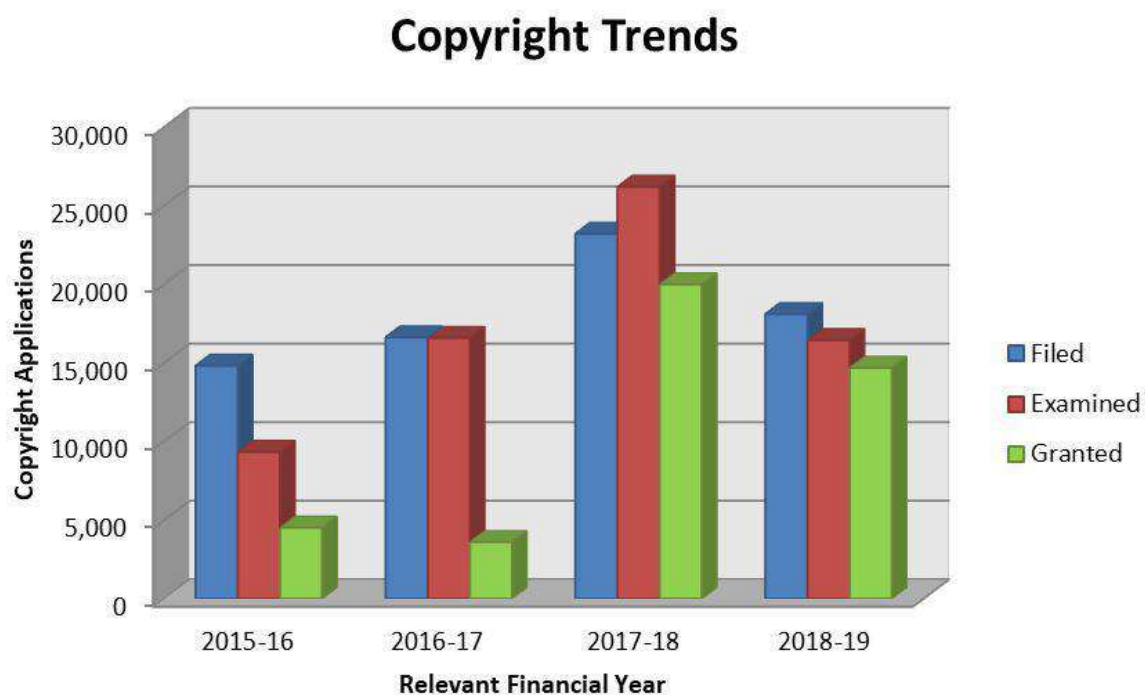
IPC/Filing Year	2012	2013	2014	2015	2016	2017	2018	CAGR
C21C	43	32	40	18	20	16	12	-17%
H01J	133	89	74	38	34	27	35	-17%
B23B	302	67	80	55	28	35	63	-20%
G06C	11	65	27	0	2	18	2	-22%
G11B	101	44	32	34	45	24	17	-22%
E21C	15	20	8	8	13	8	2	-25%
D06N	39	3	4	3	6	5	5	-25%
A01J	18	19	7	1	1	5	2	-27%
B27B	12	1	1	1	1	3	1	-30%
H03G	28	8	7	9	8	9	2	-31%

C21C	CHEMISTRY; METALLURGY >> METALLURGY OF IRON >> PROCESSING OF PIG - IRON, e.g. REFINING, MANUFACTURE OF WROUGHT -IRON OR STEEL; TREATMENT IN MOLTEN STATE OF FERROUS ALLOYS
H01J	ELECTRICITY >> BASIC ELECTRIC ELEMENTS >> ELECTRIC DISCHARGE TUBES OR DISCHARGE LAMPS
B23B	PERFORMING OPERATIONS; TRANSPORTING >> MACHINE TOOLS; METAL - WORKING NOT OTHERWISE PROVIDED FOR >> TURNING; BORING
G06C	PHYSICS >> COMPUTING; CALCULATING; COUNTING >> DIGITAL COMPUTERS IN WHICH ALL THE COMPUTATION IS EFFECTED MECHANICALLY
G11B	PHYSICS >> INFORMATION STORAGE >> INFORMATION STORAGE BASED ON RELATIVE MOVEMENT BETWEEN RECORD CARRIER AND TRANSDUCER
E21C	FIXED CONSTRUCTIONS >> EARTH DRILLING; MINING >> MINING OR QUARRYING
D06N	TEXTILES; PAPER >> TREATMENT OF TEXTILES OR THE LIKE; LAUNDERING; FLEXIBLE MATERIALS NOT OTHERWISE PROVIDED FOR >> WALL, FLOOR OR LIKE COVERING MATERIALS, e.g. LINOLEUM, OILCLOTH, ARTIFICIAL LEATHER, ROOFING FELT, CONSISTING OF A FIBROUS WEB COATED WITH A LAYER OF MACROMOLECULAR MATERIAL; FLEXIBLE SHEET MATERIAL NOT OTHERWISE PROVIDED FOR
A01J	HUMAN NECESSITIES >> AGRICULTURE; FORESTRY; ANIMAL HUSBANDRY; HUNTING; TRAPPING; FISHING >> MANUFACTURE OF DAIRY PRODUCTS
B27B	PERFORMING OPERATIONS; TRANSPORTING >> WORKING OR PRESERVING WOOD OR SIMILAR MATERIAL; NAILING OR STAPLING MACHINES IN GENERAL >> SAWS FOR WOOD OR SIMILAR MATERIAL; COMPONENTS OR ACCESSORIES THEREFOR
H03G	ELECTRICITY >> BASIC ELECTRONIC CIRCUITRY >> CONTROL OF AMPLIFICATION

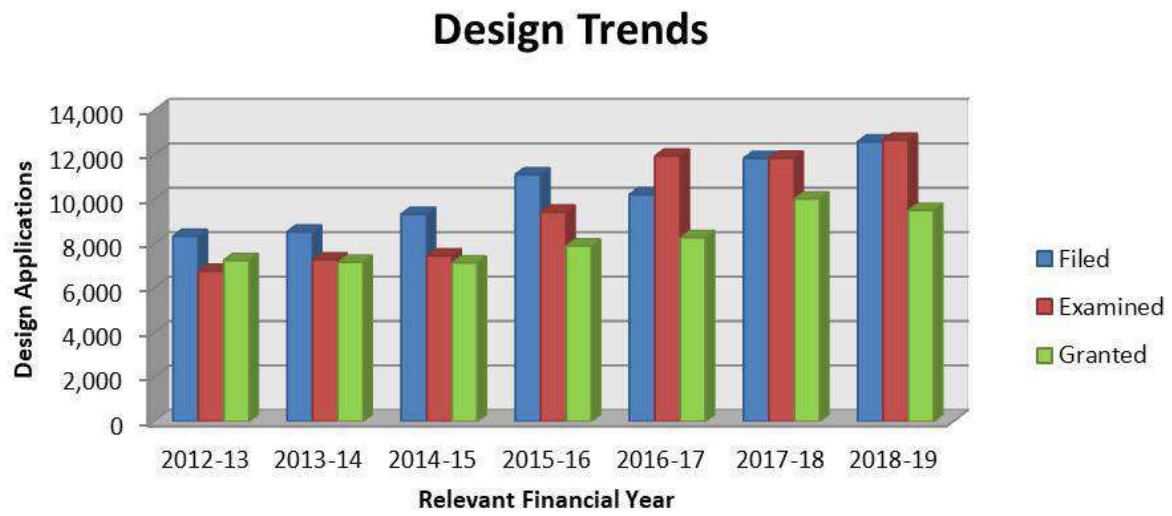
3.5 TRADEMARK TRENDS



3.6 COPYRIGHT TRENDS



3.7 DESIGN TRENDS



4. RECENT DEVELOPMENTS IN INDIA'S IP REGIME

4.1 NATIONAL IPR POLICY AND ITS IMPLEMENTATION

4.1.1 FIRST NATIONAL IPR POLICY

Published on 13th May, 2016, the policy aims to integrate IP as a policy and strategic tool in national development plans. It foresees a coordinated and integrated development of IP system in India and the need for a holistic approach to be taken on IP legal, administrative, institutional and enforcement related matters. The objectives are briefly mentioned below:

- 1. IPR Awareness: Outreach and Promotion** - To create public awareness about the economic, social and cultural benefits of IPRs among all sections of society.
- 2. Generation of IPRs** - To stimulate the generation of IPRs.
- 3. Legal and Legislative Framework** - To have strong and effective IPR laws, which balances the interest of owner's rights with larger public interest.
- 4. Administration and Management** - To modernize and strengthen service oriented IPR administration.
- 5. Commercialization of IPR** - To get value for IPRs through commercialization.
- 6. Enforcement and Adjudication** - To strengthen the enforcement and adjudicatory mechanisms for combating IPR infringements.
- 7. Human Capital Development** - To strengthen and expand human resources, institutions and capacities for teaching, training, research and skill building in IPRs.

4.1.2 IMPLEMENTATION OF THE OBJECTIVES OF IPR POLICY

Several steps and initiatives have been taken to implement the objectives of the IPR Policy. Few notable steps are mentioned below:

- Cell for IPR Promotion and Management (CIPAM) has been assigned with the task of implementing existing IP policies. CIPAM conducts workshops on IP enforcement and in 2017, it conducted the first ever all India IP enforcement workshop for police officers.
- Awareness & Sensitization programs on IPR are organized by IPO along with several industry associations, Chambers of commerce, academic institutions, etc. Further, Government of India on 31st March, 2016, released Indian Intellectual Property Panorama for raising awareness and sensitivity among stakeholders, academia and researchers. Moreover, CIPAM is in talks with NCERT to incorporate IPRs as a part of school curriculum.
- Controller General of Patents, Designs and Trademarks (CGPDTM) has launched "Kids Nook" with a view to extend IP awareness to the next generation with the release of Comics on General Intellectual Property, Patents, Designs & Trademarks.

- With the view to tap the vast knowledge base in India, simple and effective loan schemes have been adopted for encouraging Start-ups and other small entities. Moreover, several tax benefits are also provided by the government with the aim of promoting R&D.
- Regulatory relaxations are granted to Start-ups as per RBI notification dated 23rd June, 2016. These directions have been issued under Section 10(4) and 11(1) of the FEMA, 1999, laying down few momentous elements, like: allowing start-ups to receive foreign venture capital investment irrespective of the sector in which they operate, simplified the process of dealing with delayed reporting of foreign direct investment (FDI), etc.
- With the aim to establish a stable, speedy, and effective legal framework for protection and promotion of IPR, Commercial Courts Act, 2015 has been instituted, which by way of stringent timelines, payment of costs, streamlined process, summary judgments, and case management hearings, ensures hasty delivery of justice in matters pertaining to IPR.
- For commercialization of IPR, tax exemptions have been introduced on investments above fair market value, in Start-Ups.
- Creation of “The Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007”, to strengthen the statutory and executive guidelines provided for the protection of intellectual property rights at the borders.
- Legal claims arising from IP licensing and other commercial transactions often fall in the ambit of “in personam” disputes, which are covered by Arbitration and other dispute settlement techniques. Under the recently amended Arbitration and Conciliation Act, 2015, with the view to deliver justice expeditiously, an application for setting aside the arbitral award must be disposed of within a period of one year from the date on which the notice is served upon the other party (Section 34(6)).
- The Ministry of Human Resource Development under the scheme of Intellectual Property Education, Research and Public Outreach (IPERPO) has so far set up 18 IPR Chairs in various universities and institutes considering their potential for development and growth of IPR Education, Research and Training.
- The India Innovation Portal is an information aggregator and is intended to become a one stop resource on innovations in the country. The portal has classified various innovation resources under knowledge, news, events, media, and directories. Further, it allows every user to personalise the portal as per their needs.

4.2 IP PROSECUTION

4.2.1 AMENDMENTS PERTAINING TO STATUTES

- **Amendments in the Patents Rules, 2003:** Department for Promotion of Industry and Internal Trade (DPIIT), in consonance with CGPDTM (Controller General of Patents, Designs and Trademarks) office amended the Patent Rules multiple time in last few years, the last one with effect from 17th September, 2019.
- **Amendments in the Trademark Rules:** The Trademark Rules, 2002 were replaced by the Trademark Rules, 2017. The new rules, inter alia, provide for fewer forms for applications (from 75 to just 8 Forms), incentivize e-filing as against physical filing, extend concessions to start-ups and individuals and lay down a process for determination of well-known marks. The amendment has removed all the provisions related to extension of time in the Opposition Proceedings and adjournments.
- **Electronic Service of Documents:** In order to bring ease and efficiency in official correspondence, the IP offices will now be receiving and serving all documents electronically as opposed to physically receiving and serving them.
- **Criteria for registration of Indian as well as Foreign Applicants as Startups:**
An Applicant shall fall under the category of "Startup", if the following requirements are being complied:

Company Age: Period of existence and operations should not be exceeding 10 years from the Date of Incorporation.

Company Type: Incorporated as a Private Limited Company, a Registered Partnership Firm or a Limited Liability Partnership.

Annual Turnover: Should have an **annual turnover not exceeding US\$ 14,102,280** for any of the financial years since its Incorporation.

Original Entity: Entity should **not have been formed by splitting up or reconstructing** an already existing business.

Innovative & Scalable: Should **work towards development or improvement** of a product, process or service and/or have scalable business model with high potential for creation of wealth & employment.

- **Initiatives at the international level:** Department for Promotion of Industry and Internal Trade (DPIIT) signed a deal with the World Intellectual Property Organization to establish Technology and Innovation Support Centers (TISC) in India.
- **Revised guidelines relating to Computer Related Inventions (CRI) published on 30th June, 2017:** The most notable revision was the omission of the requirement that patents for software could only be claimed in conjunction with novel hardware.

- **Start-ups Intellectual Property Protection (SIPP):** The government recognizes that IP is a strategic business tool for start-ups and thus, to promote adoption of IP among start-ups, it has started the SIPP scheme. Recently, the government has extended the Startups Intellectual Property Protection (SIPP) scheme for a period of 3 years till March 2020, to help budding entrepreneurs protect their IPRs.
- **Indian Patent Office recognized as ISA/IPEA:** The Indian Patent Office was recognized as an International Searching Authority and an International Preliminary Examining Authority (ISA/IPEA) by World Intellectual Property Organization in October 2007 under the Patent Cooperation Treaty, and has operationalized the status since 15th October, 2013, thus joining an elite group of 17 countries. India is among 22 countries to act as ISA / IPEA.
- **Copyright and semi-conductor matters transferred to the office of CGPDTM/DPIIT:** Department for Promotion of Industry and Internal Trade (DPIIT), took over the Semiconductor Integrated Circuits Layout Design (SICLD) and Copyright offices in order to consolidate the administration of all IP offices under one umbrella of CGPDTM (Controller General of Patents, Designs and Trademarks).

Earlier, the administration of Copyright registry was under the MHRD (Ministry of Human Resource Development) and administration of SICLD registry was under the control of MeitY (Ministry of Electronics and Information Technology). This consolidation of all the IP offices under the office of CGPDTM has shown drastic improvement in the disposal rate, overall administration and coordination between IP offices.

- **Establishment of Quality Management System:** With respect to Design registration, the office of Controller General of Patent, Design and Trademark (CGPDTM) has adopted ISO 9001:2008 certification. This ensures that the design registration is attained within a period of 6 months, in case all requirements are complied with.
- **Express provision for filing applications for sound marks:** The new Rules have an express provision for filing applications for sound marks which must now be submitted in an MP3 format, not exceeding 30 seconds in length. This is also to be accompanied with a graphical representation of the sound notations.

4.2.2 SPEEDING UP GRANT PROCESS OF A PATENT

- **Expedited examination of patent applications by filing a request in Form 18A** along with the prescribed fee. Applicants who fall within the following list can request for Expedited Examination of their patent applications at IPO:
- That India has been indicated as the competent International Searching Authority or elected as an International Preliminary Examining Authority in the corresponding international application; or
- That the applicant is a startup; or

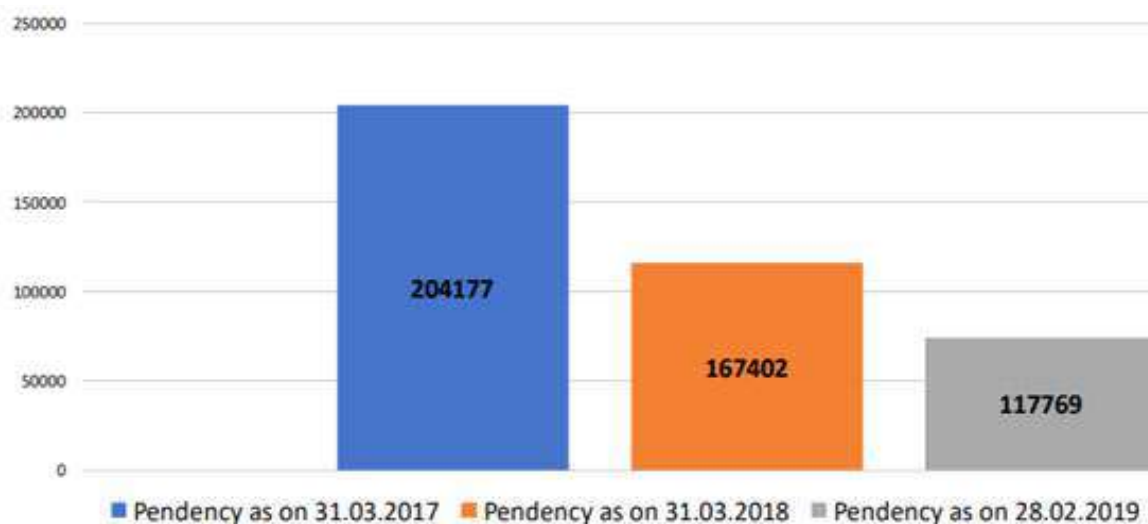
- That the applicant is a small entity; or
- That the applicant is a natural person or in the case of joint applicants, all the applicants are natural persons, then applicant or at least one of the applicants is a female; or
- That the applicant is a department of the Government; or
- That the applicant is an institution established by a Central, Provincial or State Act, which is owned or controlled by the Government; or
- That the applicant is a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013); or
- That the applicant is an institution wholly or substantially financed by the Government; or
- That the application pertains to a sector which has been notified by the Central Government, based on a request from the head of department of the Central Government; or
- That the applicant is eligible under an arrangement for processing a patent application pursuant to an agreement between Indian Patent Office and a foreign Patent Office.

Under the expedited examination, patent applications are now being granted within a time span of **8 months to 2 years**. The fastest patent granted is within **93 days** from the date of request for examination.

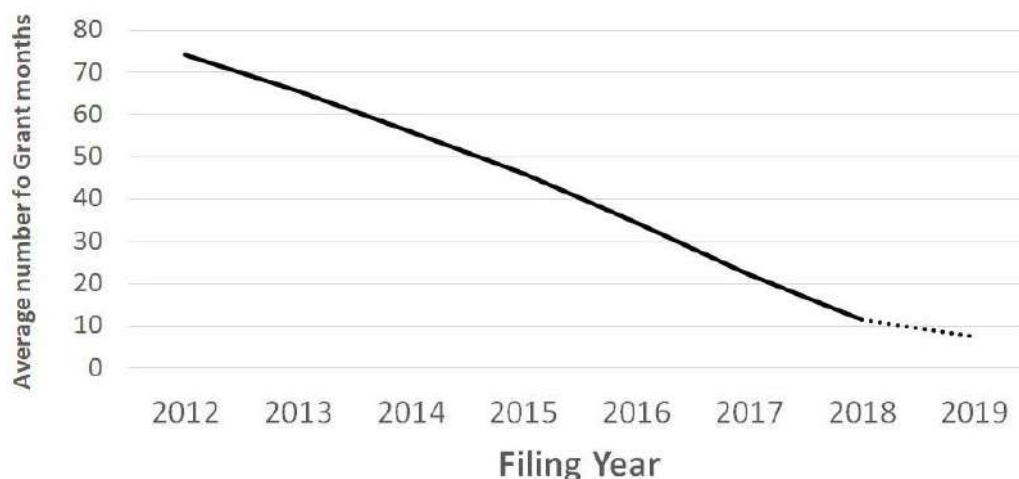
- **Reducing time for filing response to Examination Report:** Reduced from 12 months to 6 months from the date on which the First Examination Report is issued to the applicant. This reduction in the response time has enabled faster disposal of the applications.
- **Examination Deadline for Divisional Application:** In case the parent application is already referred for examination, the divisional application must be accompanied with a request for examination. The divisional application will then be published within 1 month and will be referred for examination within 1 month from the date of such application.
- **Hearings via videoconferencing:** Office of CGPDTM has introduced the WebVideo Conferencing System with the help of which Applicants/Authorized Agents can conduct hearings from their own premises/Office. This has strengthened the hearing system, reduced distance barriers, time & efforts required in the physical appearance hearing system.
- **Limitation as to seeking adjournments:** Number of adjournments have been restricted now. This step has further enabled faster disposal of matters and curbing the malpractice of delaying the prosecution process.
- **Patents on Fast Track mode:** Recruitment of more examiners and controllers at the

IPO has also added to the speed of prosecution and grant of patents in India. The recruitment of 459 examiners of patents & design in various fields of technology has enabled the Office to set itself a target of reducing pendency and bring down examination backlog. Further, 84 new posts of Examiners and 95 posts of Controllers have been sanctioned.

4.2.3 COMPARISON OF REDUCTION IN PENDENCY OF PATENT APPLICATIONS (FY 2017 – 2019)



4.2.4 COMPARISON OF GRANT TIME (FY 2012 – 2017) – REDUCING SIGNIFICANTLY



The chart shows total time in months taken by an application to Grant. In 2012 the average number of months taken by a patent to grant is 75, in 2013 it is reduced to 65, similarly for the coming years it is continuously decreasing.

Note: The data for 2018-19 may have some deviation as patents filed after 2018 may not be published yet.

4.2.5 INCREASED USE OF TECHNOLOGY & DIGITIZATION INITIATIVES AT IP OFFICES

- **DPIIT launches website, mobile app for IPR:** On October 14th, 2019, Department for Promotion of Industry and Internal Trade (DPIIT), launched the website and mobile application L2Pro India (Learn to Protect, Secure and Maximize Your Innovation) on Intellectual Property Rights (IPRs) in New Delhi. This e-learning platform [L2Pro India IP e-learning Platform and the L2Pro India Mobile App] will aid and enable youth, innovators, entrepreneurs and small and medium entities (SMEs) in understanding IPRs for their ownership and protection, integrate IP into business models and obtain value for their R&D efforts.
- **Transferring of applications:** Under new regime, applications can now be transferred electronically from any of the branches of the Patent Office to another for examination and further prosecution. This step has resulted in the harmonization of workflow across the patent offices and increase in the disposal rate.
- **Comprehensive e-filing:** The IPO website offers complete electronic processing of Patents and Trademarks applications. Indian Patent Office also offers 10% reduction in fees upon e-filing of all forms and documents relating to patents.
- **Electronic Payment Gateway for PCT Application Fees:** This facility has been introduced w.e.f. 1st April, 2016 to avoid delay in transmission of fees for PCT applications to International Bureau (IB) and Searching Authority.
- **Design applications:** E- Filing of design applications and free online public search facilities for the search of identical or similar designs.
- **Online Certificate:** On Grant of patent and Registration of Trademarks through e-mail.
- **Dynamic information:** The entire processing of patent applications is electronic and information relating to processing is made available on the website in real time, thereby providing valuable information to the applicants and public.
- **Annual report of the Patent Office:** The Patent Office publishes an annual report comprising statistical information pertaining to the activities of Patent Office. Such report is placed before both the Houses of Parliament, whereupon the report is made available on the official website.

4.3 IP LITIGATION

4.3.1 IP ENFORCEMENT & VARIOUS AMENDMENTS WITHIN THE AMBIT OF IP LITIGATION

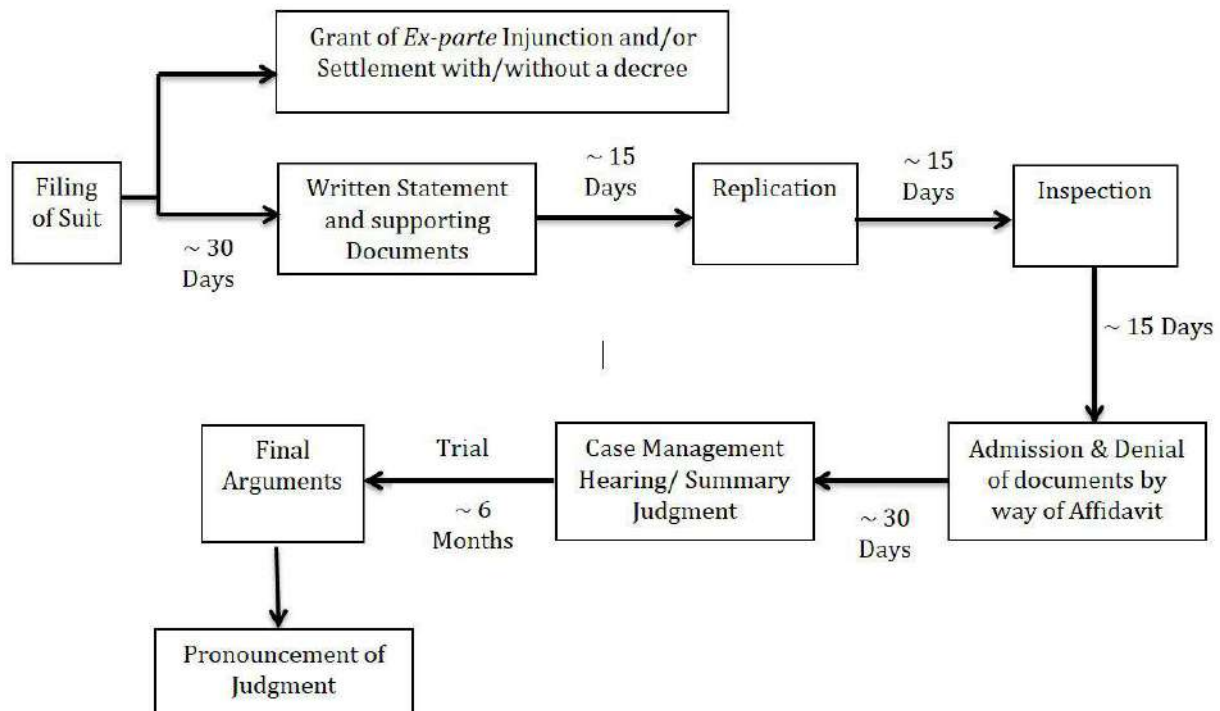
- **Setting up of Intellectual Property Crime Units:** In 2016, the state of Telangana set up India's first IP Crime Unit to combat the menace of internet piracy viz. TIPCU (Telangana Intellectual Property Crime Unit). In 2017, Maharashtra followed suit by

setting up The Maharashtra Cyber Digital Crime Unit (MCDU) and has taken down many websites carrying infringing pirated content. The MCDU is the first public-private partnership unit for law enforcement across the country. As of 2019, they have blocked over 250 websites that carry predominately infringing content. In 2018, Mizoram became the third state to announce the setting up of a Digital Crime Unit to combat digital fraud and copyright theft.

- **Border measures for counterfeited or pirated goods:** The first lines of check against the cross-border movement of counterfeited or pirated articles are the National Customs and Border protection. The import of infringing goods is prohibited under the Customs Act 1962, read with the Intellectual Property Rights (Imported Goods) Enforcement Rules 2007. Recently, the Central government has amended the Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007 & revamped it as Intellectual Property Rights (Imported Goods) Enforcement Amendment Rules, 2018. A momentous amendment incorporates various conditions that oblige the right-holder to notify the Commissioner of Customs of any amendment, cancellation, suspension or reaction that concern Intellectual Property rights, and require the Customs authorities to accordingly amend, suspend or cancel the corresponding protection provided by them.
- **Protection of works and rights of the author:** India has acceded to the WIPO Copyright Treaty (WCT) and WIPO Performance and Phonograms Treaty (WPPT) in 2018 with the end goal of achieving sturdier and firmer IP policies which are easily enforceable.
- **Capacity Building for Enforcement Agencies:** CIPAM, in association with the Federation of Indian Chambers of Commerce & Industry (FICCI), launched an "IPR Enforcement Toolkit" for the Police. This Toolkit aids Police officials in dealing with IP crimes, counterfeiting and piracy, which are a huge menace to IP owners in India and abroad. Programs for training of police officials on IP Enforcement have been undertaken by CIPAM in association with IP experts and industries across India.
- **Special Courts in India for speedy disposal of cases:** Commercial Courts: The Government, in 2018, promulgated another ordinance, amending the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 and revamping it into Commercial Courts Act, 2015 (hereinafter referred to as the "Act"). The amendments were introduced with the view of expanding the scope of commercial courts in India and for improving India's ranking on the "Ease of Doing Business Index".
- **Pecuniary Jurisdiction:** The "specified value" as defined under the Act, has been reduced from INR 1,00,00,000/- (approx. US\$ 140,940) to INR 3,00,000/- (approx. US\$ 4,230). This would bring a large number of disputes within the ambit of the commercial courts which were previously outside their scope.

- **Case Management Hearing:** The Act (post 2018 amendment) has a gigantic impact over the CPC, 1908, as it alters the prevalent civil litigation culture in the country. Also, it introduces global practices, like: "Case Management Hearing" and lays down stringent timelines, wherein, trial must conclude within 6 months of first case management hearing.
- **Summary Judgments** With a view to provide speedy dispute resolution, the Act has introduced Order XIII-A in the Code of Civil Procedure, 1908. The order lays down that if a party approaches the court before the issues have been framed, then the court would consider the other party's real prospect(s) of succeeding. On this basis, it has the discretion to pass a summary judgment without a trial.

4.3.2 GENERAL TIMELINES FOLLOWED AT THE COMMERCIAL COURTS



5. RELEVANT IP CASE STUDIES

5.1 AWARDING PUNITIVE DAMAGES

5.1.1 NIPPON STEEL & SUMITOMO METAL CORPORATION VS. KISHOR D JAIN & ANR

Punitive damages or exemplary damages are awarded in addition to actual damages in certain circumstances. Punitive damages are considered punishment and are typically awarded at court's discretion when the defendant's behaviour is found to be especially harmful. The Court awarded punitive costs of INR 5,00,00,000/- (approx. US\$ 716,000), which, at the plaintiff's behest, were directed to be paid – and were paid out on 23rd April, 2019 – to a charitable organisation, VIZ. the Tata Memorial Hospital, Mumbai – a specialist centre for the prevention, treatment and research on cancer.

5.1.2 WHATMAN INT. LTD. V. P. MEHTA & ORS.

The Delhi High Court awarded punitive damages of INR 1,85,00,000/- (approx. US\$ 260,690) against the defendants for committing trademark & trade dress infringement along with passing off. The court opined that “.....The Defendants have committed infringement of the Plaintiff's mark and impinged on their rights deliberately, consciously and wilfully for a period spanning over 25 years. Repeated legal action has not deterred them. They showed no remorse in the statements recorded”.

5.1.3 GLENMARK PHARMA LTD. V. CURETECH SKINCARE AND GALPHA LABS LTD.

The Bombay High Court awarded punitive damages of INR 1,50,00,000/- (approx. US\$ 211,360) against the defendant found to be 'habitually' committing trademark and copyright infringement of pharmaceutical products. The Court opined that “Drugs are not sweets. Pharmaceutical companies which provide medicines for health of the consumers have a special duty of care towards them. These companies, in fact, have a greater responsibility towards the general public.”

5.2 BOLAR EXCEPTION: BAYER CORPORATION V. UNION OF INDIA & ANR.

The export of product covered under a patent falls within the Bolar exception to infringement of patent as provided for under section 107A (a) of the Patents Act, 1970. The Court held that, as per the provisions of Section 107A of the Act, a patented invention/product can be 'sold' for the purpose of carrying on research subject to regulatory laws of the country where it is exported. The question of infringement cannot arise if the object or purpose of that transaction is solely to experiment or research.

5.3 PATENTING GENETICALLY MODIFIED PLANTS: MONSANTO TECH. LLC V. NUZIVEEDU SEEDS LTD.

On 08th January, 2019, the Supreme Court of India held that genetically modified cotton seeds were patentable and subsequently, allowed U.S. Company, Monsanto, to file their patent claims. The Indian Supreme Court's decision involved analysis and critique on the patentability of genetically modified life forms under Section 3 (j) of the Patents Act in light of the Protection of Plant Varieties (PPV) Act.

6. SALIENT FEATURES OF INDIAN IP SYSTEM

6.1 ORGANIZATION OF INDIAN IP OFFICES

The Office of the Controller General of Patents, Designs & Trademarks (CGPDTM) is located at Mumbai. Its branch offices are located at Kolkata, Chennai, New Delhi and Mumbai.

The Trademarks registry is at Mumbai and its branches are located in Kolkata, Chennai, Ahmedabad and New Delhi.

The Design Office is located at Kolkata in the Patent Office.

The Offices of The Patent Information System (PIS) and National Institute of Intellectual Property Management (NIIPM) are at Nagpur.

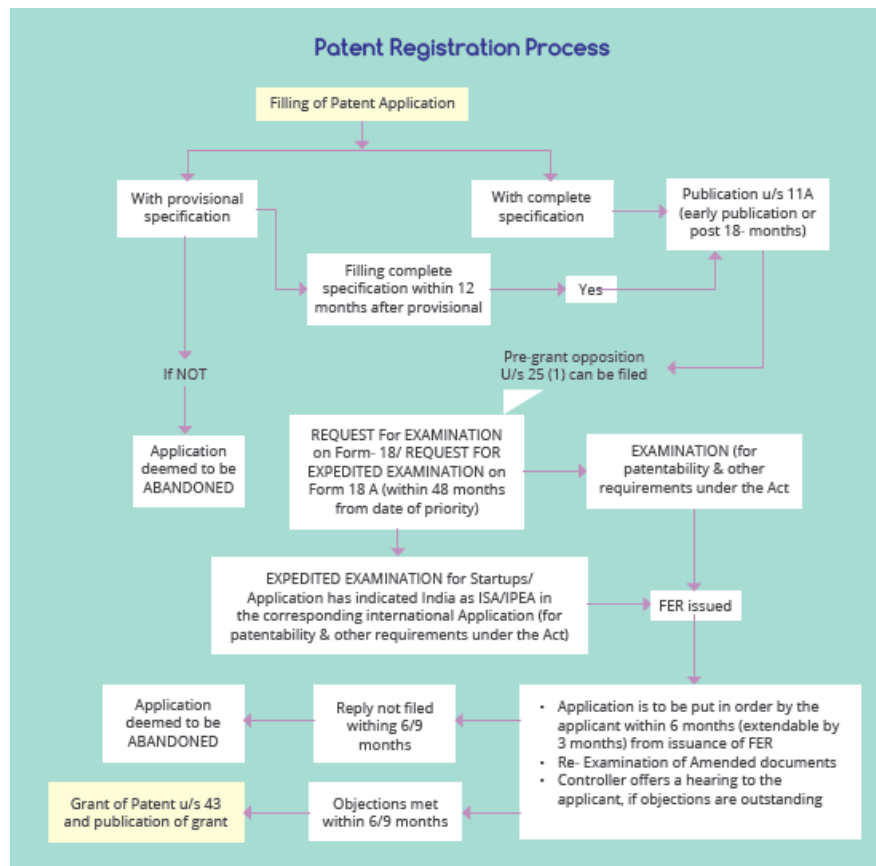
The Controller General supervises the functioning of the Patents Act, 1970, the Designs Act, 2000, the Trademarks Act, 1999 and Copyright act, 1957 and renders advice to the Government on matters relating to these subjects.

In order to protect the Geographical Indications of goods a Geographical Indications Registry has been established in Chennai to administer the Geographical Indications of Goods (Registration and Protection) Act, 1999 under the CGPDTM.



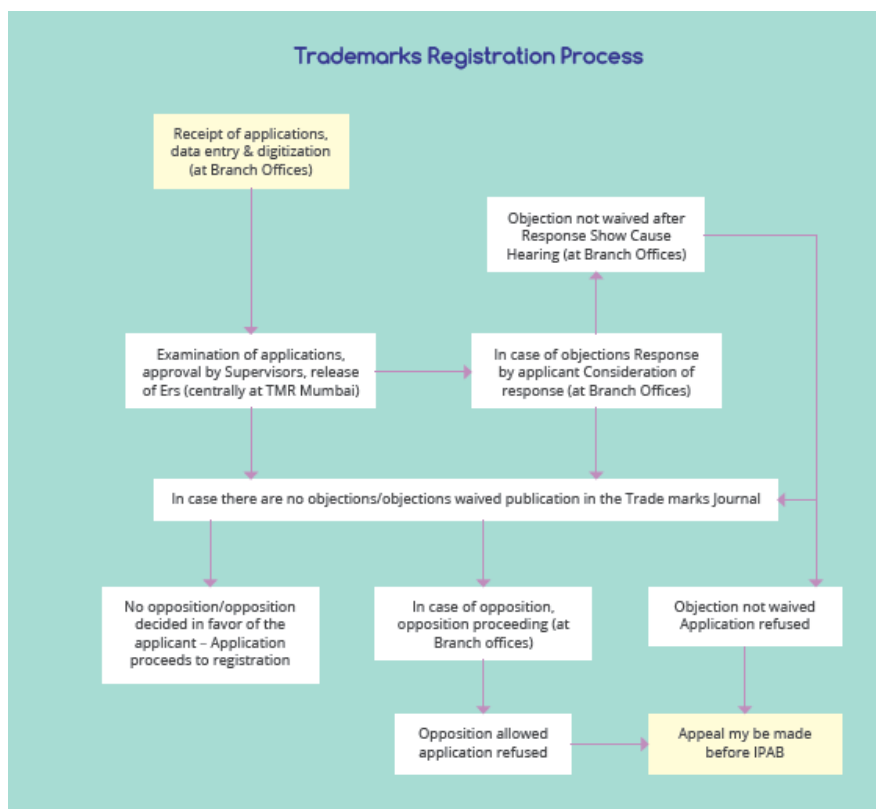
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6.2 PROCESS OF REGISTERING PATENTS IN INDIA



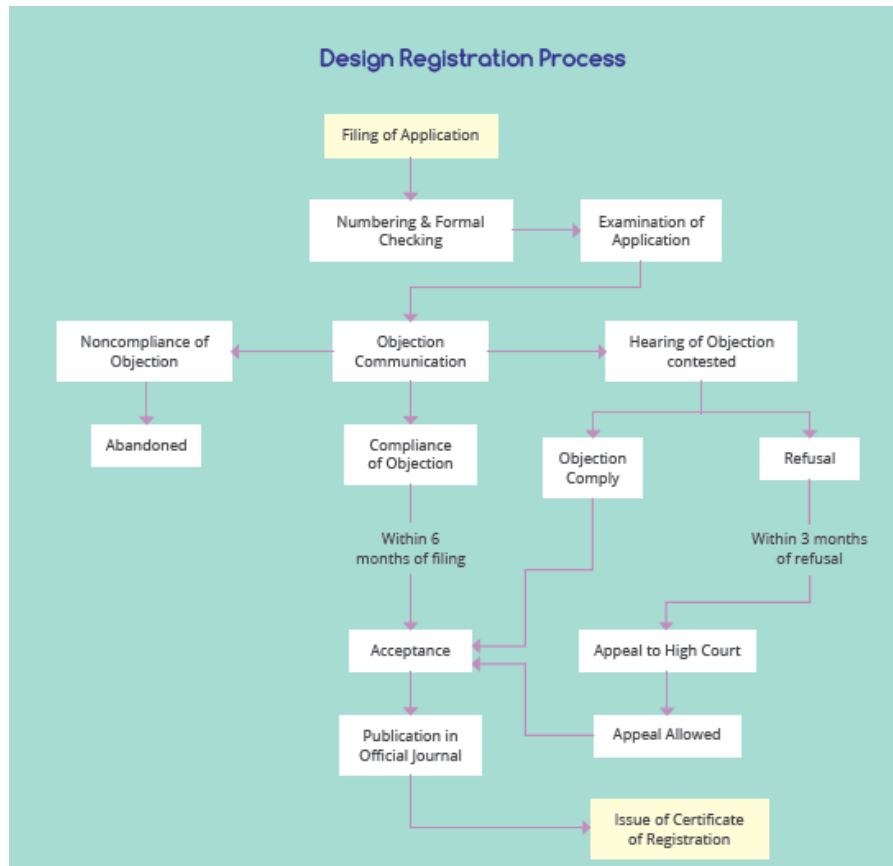
(Source: <http://cipam.gov.in>)

6.3 PROCESS OF REGISTERING TRADEMARKS IN INDIA



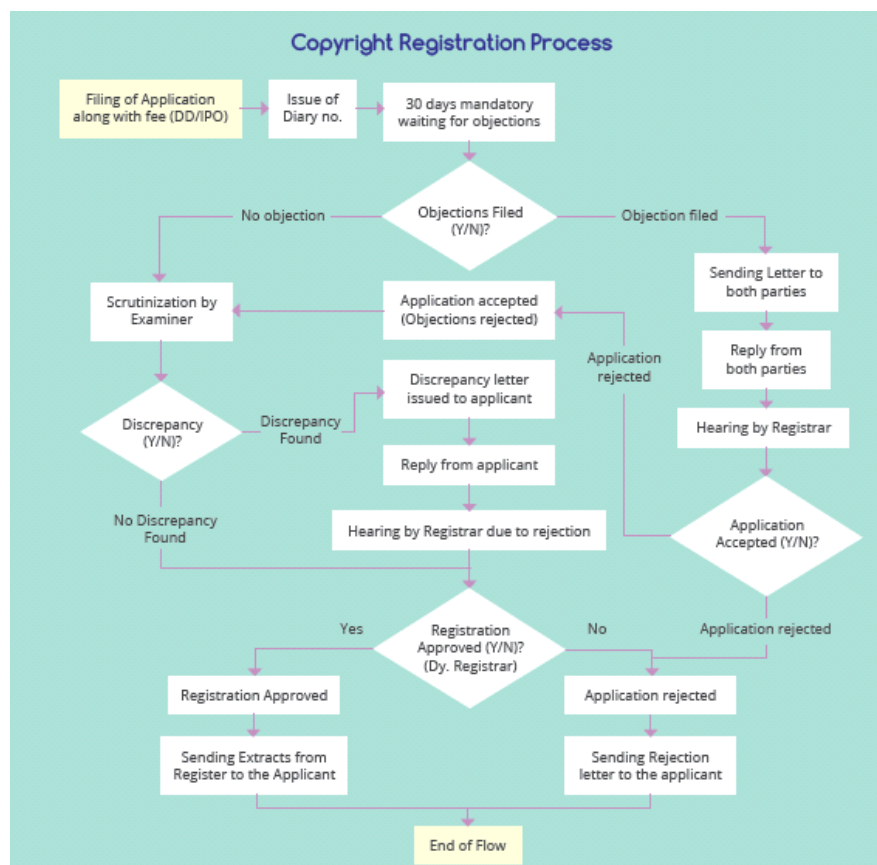
(Source: <http://cipam.gov.in>)

6.4 PROCESS OF REGISTERING DESIGNS IN INDIA



(Source: <http://cipam.gov.in>)

6.5 PROCESS OF REGISTERING COPYRIGHT IN INDIA



(Source: <http://cipam.gov.in>)

6.6 A BRIEF ON UNIQUE SECTIONS OF INDIAN PATENT ACT, 1970

- **Ever greening of patents:** Section 3(d) of the Act states that inventions that are mere "discovery" of a "new form" of a "known substance" and do not result in increased efficacy of that substance or "new property" or "new use" of a known substance are not patentable in India. (Novartis AG v. Union of India W.P. 24760/06)
- **Computer Related Inventions (CRIs):** The sub-section 3(k) excludes mathematical methods or business methods or computer programme per se or algorithms from patentability. However, the notable amendment involved in the revised CRI guidelines is the deletion of the requirement that patents for software could only be claimed in conjunction with novel hardware. The erstwhile three-step test for patentability (whose third step specifically states that computer programs in themselves are unpatentable and could only be claimed in conjunction with novel hardware) has been removed from the revised CRI guidelines.

Under the revised guidelines, the focus is to judge the substance of claims taking the whole of the claim together. Revised guidelines state that:

"If any claim in any form such as method/process, apparatus/system/device, computer program product/ computer readable medium falls under the said excluded categories, such a claim would not be patentable. However, if in substance, the claim, taken as whole, does not fall in any one of the excluded categories, the patent should not be denied."

The revised guidelines further discuss determination of excluded subject matter relating to CRIs. According to the revised guidelines - it is important to ascertain from the nature of the claimed Computer-related invention whether it is of a technical nature involving technical advancement as compared to the existing knowledge or having economic significance or both, and is not subject to exclusion under Section 3(k) of the Patents Act.

According to the revised CRI guidelines, for establishing patentability, the focus should be on the underlying substance of the invention and not on the particulars form in which it is claimed.

- **Business method patents:** Pursuant to Section 3(k) of the Patents Act, business methods are not patentable in India. The Patent Office considers a method to be a business method if it involves a monetary transaction or mere marketing or sale-purchase methodology. However, they are patentable if the new method solves a "technical" problem and an apparatus/system is developed from such method.
- **"Use" claims in India:** In accordance to Section 2(1)(j) of the Patents Act, use claims are not allowed in India. Claims relating to either a product or process are allowed in India. New use of known substances is clearly barred from patentability as per Section 3(d) of the Patents (Amendment) Act, 2005. The Act also does not allow claims directed

at process for the medicinal, surgical, curative, prophylactic, diagnostic, therapeutic or other treatment of human beings or animals under Section 3(i) of the Act.

- **Permission for filing patent application outside India:** Under Section 39 of the Act, if any company or inventor qualifies as a “resident of India” and wishes to file the patent application directly outside India then the Applicant may proceed with anyone of the following option:
 - a) obtaining Foreign Filing License (FFL)/prior written permission from Indian Patent Office (IPO) made in Form 25 is mandatory OR
 - b) the applicant can first file the application in India and wait for six weeks before filing any application in foreign jurisdiction.

6.7 A BRIEF ON UNIQUE PROCEDURAL REQUIREMENTS BY IPO DURING PROSECUTION AND POST GRANT

- **Status of corresponding foreign applications:** Section 8 of the Act requires an applicant to submit certain bibliographic and prosecution details to the Patent office for any corresponding foreign patent application filed outside of India that relate to the same or substantially the same invention as filed in India in Form 3. (Chemtura Corporation vs Union of India & Ors.)
- **Compulsory license:** Sections 84 and 92 of the Act provide the conditions which need to be fulfilled for a compulsory license to be granted. Compulsory licenses are generally defined as "authorizations permitting a third party to make, use, or sell a patented invention without the patent owner's consent" and such request is made under Form 17. Compulsory Licenses have also been issued in other countries like USA, Germany, Canada, Italy, Indonesia. (Nexavar Case: Bayer Corporation v. Natco Pharma Ltd.)
- **Statement regarding working of the patented invention:** Section 146(2) of the Act requires every patentee and every licensee (whether exclusive or otherwise) to furnish a working statement each year as to the extent to which the patented invention has been worked on a commercial scale in India in a specific format (Form 27). Information provided in the statement is used while deciding on applications for compulsory license on patents.

7. SEARCHING INDIAN PATENT INFORMATION

7.1 INTRODUCTION

As Indian patent information is becoming more and more important – we have compiled this brief summary to answer the following 3 questions

1. Comparison of Patent Databases – which of the databases has best coverage for Indian patents - a brief comparison.
2. Comparison of legal status and other bibliographic information for Indian patents on various databases*
3. Accuracy of IPC classifications: How accurate is the IPC classification recorded by Indian patent office and if it is worth searching by IPC classes only. Further, whether Indian patent office records narrow IPC classification OR only broad IPC classifications?

7.2 COMPARISON OF PATENT DATABASES

Sagacious IP conducted three tests on various available patent databases along with a search on Indian Patent Office official search engine.

These tests are:

- 1) Classification Search – IPC only
- 2) Assignee Search – Denso
- 3) Keywords search – Random technology

7.2.1 COMPARISON OF PATENT DATABASES: TEST 1 – CLASSIFICATION SEARCH

IPC	Q. Orbit*		DI*		Google Patents		IPO	
	Publish	Grant	Publish	Grant	Publish	Grant	Publish	Grant
B60R	5599	1015	5457	987	159	0	188	9
B60R-001/00	257	18	249	19	13	0	12	0
B60R-001/064	5	0	4	0	1	0	1	0

Observations:

- **Indian Patent Office has a restrictive search engine for searching IPCs.** For e.g. if we run IPC= B60, it will capture only those patents that has IPC classification as B60 and will not capture patents with IPC as B60R. However, Questel Orbit/DI, have more intuitive search engines and will automatically include narrower subclass if a broader Class is being searched. For e.g. if we run IPC= B60, it will automatically capture all the patents under B60+ (such as B60R, B60R1).

*** IPCs in Indian patents are not accurate:** IPC classification of Indian patents cannot be relied even at the broad level like B60R. Further, very few patents are categorized in further narrower IPC classifications. This is evident by the huge difference in number of

results on Questel Orbit/ DI and IPO. Questel Orbit / DI look at IPC of all family members and capture even those patents where any of the family members globally fall within the searched IPC. This vastly improves the results and reliability. We manually cross checked few results and results captured by Questel/ DI seemed relevant for the field of study. **However, when searching with IPCs even Questel/ DI may not be enough** - because patents with no family members and filed only in India with wrong classifications (and number of such applications is large), will not be captured by any of the databases and have to be obtained through supplementary manual keyword and other searches.

Important Note: Further, we checked and noted that for each of the above search – both Questel Orbit and DI included all the patents captured by IPO.

We have further investigated IPC tagging and more finding related to IPC have been presented in next sections of this report.

Foot Note:

- The data is restricted to Indian patents/ publications in Questel Orbit(Q. Orbit), Derwent Innovation (DI) and Google Patents.
- The search strings or operators were standardized accordingly to different databases.
- In Google Patent Searching - Application Section provides both Published Patents as well as Granted Patents.
- Oldest Indian patent captured by all the databases is IN01B.
- No restriction on dates was used for running these searches.

IPO = Indian Patent Office website – InPass search engine

7.2.2 COMPARISON OF PATENT DATABASES: TEST 2 – ASSIGNEE SEARCH

Assignee	Q. Orbit*		DI*		Google Patents		IPO	
	Publish	Grant	Publish	Grant	Publish	Grant	Publish	Grant
Denso	362	98	331	96	19	0	257	93
Denso	400	99	336	98	19	0	281	95
“Denso”	310	90	331	96	19	0	257	93
Denso (Corporate Tree)	2146	354	580	153	NA	NA	NA	NA

Observations:

*** Assignee data on Indian patent search engine is not fully recorded:** Assignee search on IPO may not always be conclusive as many patents lack assignee information. For example – **see 3395/CHENP/2015** has no assignee mentioned, however, all its family members are assigned to Denso (**see next section for further details**). This is evident by the difference in number of results on Questel Orbit/ DI and IPO. Questel Orbit / DI look at Assignee of all family members and capture even those patents where any of the family members are assigned to the searched assignee. This vastly improves the results and reliability. We manually cross checked few results and results captured by Questel/ DI seemed appropriate. Of course, in some cases assignment of Indian patents may be

different from its family members (due to licensing/ other activities) – so finally you will have to get the data checked manually from patent office to get the latest assignee and accurate information.

- **Corporate Tree: As with any other patent office owned database,** Indian Patent Office does not provide Corporate Tree Searching whereas other commercial databases provide corporate tree searching to easily include name variations, subsidiaries, etc. The corporate searching classification may vary on different databases – depending upon update frequency.

Important Note: Further, we checked and noted that for each of the above search – both Questel Orbit and DI included all the patents captured by IPO.

Foot Note:

- The data is restricted to Indian patents/ publications in Questel Orbit(Q. Orbit), Derwent Innovation (DI)and Google Patents.
- The search strings or operators were standardized accordingly to different databases.
- In Google Patent Searching - Application Section provides both Published Patents as well as Granted Patents.
- Oldest Indian patent captured by all the databases is IN01B.
- No restriction on dates was used for running these searches.

IPO = Indian Patent Office website – InPass search engine

The screenshot shows the 'Patent Search' results page from the Indian Patent Office website. The page displays details for a patent titled 'FUEL INJECTION CONTROL DEVICE FOR INTERNAL COMBUSTION ENGINE'. The patent number is 27/2016, published on 01/07/2016. The application number is 3395/CHENPV2015, filed on 11/05/2015. The field of invention is MECHANICAL ENGINEERING, and the classification is F02M21/02. The inventor and applicant information is listed in a table with columns for Name, Address, Country, and Nationality. The abstract describes a fuel injection system with first injection valves (21) that inject a fuel gas a pressure regulating valve (60) that reduces the pressure of the fuel gas supplied to the first injection valves (21) to a preset pressure and a main tank stop valve (44) and a cutoff valve (45) disposed on the upstream side of the pressure regulating valve (60). When requested to start an engine (10) using the fuel gas a control unit (80) controls the opening timing of the main tank stop valve (44) and the cutoff valve (45) with respect to the start request timing of the engine (10) according to a prestart pressure which is the pressure of the fuel gas being supplied to the first injection valves (21) at the time of the request.

Patent Search			
Patent Search	Patent E-register	Application Status	Help
Invention Title:	FUEL INJECTION CONTROL DEVICE FOR INTERNAL COMBUSTION ENGINE		
Publication Number	27/2016		
Publication Date	01/07/2016		
Publication Type	IN2A		
Application Number	3395/CHENPV2015		
Application Filing Date	11/05/2015		
Priority Number			
Priority Country			
Priority Date			
Field Of Invention	MECHANICAL ENGINEERING		
Classification (IPC)	F02M21/02		
Inventor			
	Name	Address	Country
Applicant			
	Name	Address	Country
Abstract:			
This fuel injection system is provided with first injection valves (21) that inject a fuel gas a pressure regulating valve (60) that reduces the pressure of the fuel gas supplied to the first injection valves (21) to a preset pressure and a main tank stop valve (44) and a cutoff valve (45) disposed on the upstream side of the pressure regulating valve (60). When requested to start an engine (10) using the fuel gas a control unit (80) controls the opening timing of the main tank stop valve (44) and the cutoff valve (45) with respect to the start request timing of the engine (10) according to a prestart pressure which is the pressure of the fuel gas being supplied to the first injection valves (21) at the time of the request.			

Observations:

- The above screen shot shows 3395/CHENP/2015 patent without applicant information on Indian search system. This specific patent was captured by Q. Orbit as its JP family members (the priority application for this) was assigned to Denso whereas IPO missed the same. There were several patents that Orbit captured and it got missed in IPO for the same reason.
- Some of the patents were available on Q. Orbit with different publication number format but it had all patents/ publications captured by IPO.

7.2.3 COMPARISON OF PATENT DATABASES: TEST 3 – KEYWORDS SEARCH

Keywords In Full Specification (vehicle AND shaft AND sensor AND RPM AND infrared)	Q. Orbit*		DI		Google Patents		IPO	
	Publish	Grant	Publish	Grant	Publish	Grant	Publish	Grant
	683	161	59	7	1	0	42	6

Observations:

- Considerable difference was noted while searching with specific keywords on all the databases. Questel Orbit displayed most number of results.
- Derwent Innovation and Indian Patent Office displayed Similar results.

* Questel captured more number of hits as it looked for these keywords not only in Indian patent full text but also its family members. So even when Indian patent full text was not properly recorded – it was able to return the result considering such keywords were present in one or more of its family members. We checked and realized while there were many irrelevant patents captured because of this technique but it did capture some additional patents that should have been captured and analysed. Accordingly, it is advisable to use search engine of Questel for better comprehensiveness (although it may give lot of false positives). Or, you may first analyse in details results from IPO search and then quickly glance through additional results from Questel for any relevant ones.

Important Note: Further, we checked and noted that for each of the above search – both Questel Orbit and DI included all the patents captured by IPO.

Foot Note:

- The data is restricted to Indian patents/ publications in Questel Orbit(Q. Orbit), Derwent Innovation (DI)and Google Patents.
- The search strings or operators were standardized accordingly to different databases.
- In Google Patent Searching - Application Section provides both Published Patents as well as Granted Patents.
- Oldest Indian patent captured by all the databases is IN01B.
- No restriction on dates was used for running these searches.

IPO = Indian Patent Office website – InPass search engine

7.3 COMPARISON OF LEGAL STATUS AND BIBLIOGRAPHIC DATA ON VARIOUS DATABASES

Legal Status and bibliographic details of various patents are studied in this section. Different views will help us understand the information shown on different databases. For ease of analysis purpose, we have used same color boxes to highlight the same information across various databases.

We compared information available on various databases for patents/ publications with following four types legal statuses:

1. Alive & Granted
2. Alive & Pending
3. Dead & Lapsed
4. Dead & Expired

Foot Note: We have not cross checked this information with offline information obtained manually from patent office as that may be the most updated but compared information available on various database online. We will be doing a study for offline vs online comparison shortly and if you are interested, please send us an email at Vivek.singh@sagaciousresearch.com.

7.3.1 DATA VALIDATION: ALIVE & GRANTED

Observation: For patent IN264187, legal information and other bibliographic information displayed by all the databases was same.

Questel Orbit

Full supply device

Patent No: IN264187

English Title: Full supply device

English Abstract (Native or MT): A pump module (55) and/or electric circuit module (56) are fixed to a bottom cover member (58) in such a manner that the electric circuit module (55) is parallel to an inner wall of the pump module (56) and the electric circuit module (56) is a full pump (40) and a pressure regulator (59) of the pump module (56) are arranged in series in the bottom cover member (58). Thus, the pressure regulator (59) is arranged at a position where a full discharge passage (57) is a direction of gravity.

Application Language: ENGLISH (ENG)

Inventor(s): MASEKAWA MASARUO, YAGATA HIROSHI, LEE SHANGHOON, MOKSHITA HORONG, TANAKA MASARUO

Applicant/Assignee: DENSO

Applicant/Assignee Address: DENSO CORPORATION 1-1, SHOWA-KO, KARIYA-CITY, AICHI-PREF 486-8681, JP

Patent Assignee History: DENSO CORPORATION (JP)

Application Number & Date: JPO2009-022931 (2009-01-29) / JPO2009-022931 (2009-01-29)

Priority Number & Date: JPO2008-120611 (2008-06-11) / JPO2008-120611 (2008-06-11)

IPC Class History: F02M 21/02, F02M 21/03

Notes: Number of Claims: 14, Number of Claims: 1

Derwent Innovation

Original Title: FUEL SUPPLY DEVICE

English Title: FUEL SUPPLY DEVICE

Assignee/Applicant: DENSO CORPORATION

Optimized Assignee/Ultimate Parent: DENSO CORP

DNIP Assignee/Applicant: DENSO CORP (JP) / DENSO PS CORP (JP) / DENSO RING SUNG CO LTD (JP) / DENSO CORP (JP)

Inventor: MASEKAWA MASARUO, YAGATA HIROSHI, LEE SHANGHOON, MOKSHITA HORONG, TANAKA MASARUO

DNIP Inventor: I. S. H. LEE S.; MASEKAWA M.; MOKSHITA H.; YAGATA H.; OSAKA K.; TANAKA M.

Publication Date (Kind Code): 2014-12-19 (B)

DNIP Accession / Update: 2009-022931 / 201546

Application Number / Date: JPO2009-022931 / 2009-01-29

Priority Number / Date / Country Code: JPO2008-120611 / 2008-06-11 / JP

Record View: IN264187

Key Summary Data: Patent: Alive, DNIP Family: 1, INPADOC Family: 1, Original Assignee: DENSO CORPORATION, Optimized Assignee: DENSO CORP, Ultimate Parent: DENSO CORP

Indian Patent Office

Application Details

APPLICATION NUMBER	83-015/2009
APPLICATION TYPE	CONVENTIONAL APPLICATION
DATE OF FILING	09/01/2009
APPLICANT NAME	DENSO CORPORATION
TITLE OF INVENTION	FUEL SUPPLY DEVICE
FIELD OF INVENTION	MECHANICAL ENGINEERING
E-MAIL (As Per Record)	patent@denso.com
ADDITIONAL E-MAIL (As Per Record)	patent@denso.com
E-MAIL (Updated Online)	patent@denso.com
PRIORITY DATE	09/01/2008
REQUEST FOR EXAMINATION DATE	09/01/2009
PUBLICATION DATE (UP 11A)	14/08/2009
FIRST EXAMINATION REPORT DATE	21/04/2014
Date Of Certificate Issue	11/12/2014
FIRST GRANT JOURNAL DATE	19/12/2014
REPLY TO FOR DATE	20/06/2014

Application Status

APPLICATION STATUS: Granted Application, Patent Number :264187

E-Register View Examination Report(s) Orders/Decisions(s) View Documents

7.3.2 DATA VALIDATION - ALIVE & PENDING (CASE A)

Observation: For application IN201834040882, legal information and other bibliographic information displayed by all the databases was same

Questel Orbit	Derwent Innovation	Indian Patent Office
<p>Original Title: 1 ENGINE MISFIRE DETECTION DEVICE AND VEHICLE</p> <p>English Title: 1 ENGINE MISFIRE DETECTION DEVICE AND VEHICLE</p> <p>Assignee/Applicant: 1 DENSO CORPORATION</p> <p>Optimized Assignee/Ultimate Patent: 1 DENSO CORP</p> <p>IPC Class: F02M 61/10</p> <p>Publication Date (End Code): 1 2018-05-02 (A)</p> <p>Application Number / Date: 1 JP2017-040882 / 2017-04-08</p> <p>Priority Number / Date / Country Code: 1 JP2017-040882 / 2017-04-08 / JP</p>	<p>Original Title: 1 ENGINE MISFIRE DETECTION DEVICE AND VEHICLE</p> <p>English Title: 1 ENGINE MISFIRE DETECTION DEVICE AND VEHICLE</p> <p>Assignee/Applicant: 1 DENSO CORPORATION</p> <p>Optimized Assignee/Ultimate Patent: 1 DENSO CORP</p> <p>IPC Class: F02M 61/10</p> <p>Publication Date (End Code): 1 2018-05-02 (A)</p> <p>Application Number / Date: 1 JP2017-040882 / 2017-04-08</p> <p>Priority Number / Date / Country Code: 1 JP2017-040882 / 2017-04-08 / JP</p>	<p>Application Details</p> <p>APPLICATION NUMBER: 2018040882</p> <p>APPLICATION TYPE: CONVENTIONAL APPLICATION</p> <p>DATE OF FILING: 2017/04/08</p> <p>APPLICANT NAME: 1. DENSO CORPORATION 2. YAMAHATSUKO KOBUSHI KAGAKU</p> <p>TITLE OF INVENTION: ENGINE MISFIRE DETECTION DEVICE AND VEHICLE</p> <p>FIELD OF INVENTION: MECHANICAL ENGINEERING</p> <p>E-MAIL (As Per Record): koku@denso.co.jp</p> <p>ADDITIONAL E-MAIL (As Per Record): koku@denso.co.jp</p> <p>PRIORITY DATE: 2017/04/08</p> <p>REQUEST FOR EXAMINATION DATE: 2017/12/16</p> <p>PUBLICATION DATE (JIS TIA): 2018/05/02</p> <p>APPLICATION STATUS: Application Awaiting Examination</p>

7.3.3 DATA VALIDATION : (ALIVE & PENDING) OR LAPSED (CASE B)

Observation: For patent application IN201508876P1, legal information was more updated on Indian patent office database

Questel Orbit	Derwent Innovation	Indian Patent Office
<p>Original Title: 1 DEVICE AND METHOD FOR MONITORING MOVING ENTITY</p> <p>English Title: 1 DEVICE AND METHOD FOR MONITORING MOVING ENTITY</p> <p>Assignee/Applicant: 1 DENSO CORPORATION</p> <p>Optimized Assignee/Ultimate Patent: 1 DENSO CORP</p> <p>IPC Class: G01S 1/00</p> <p>Publication Date (End Code): 1 2015-07-08 (A)</p> <p>Application Number / Date: 1 JP2014-088761 / 2014-05-12</p> <p>Priority Number / Date / Country Code: 1 JP2014-088761 / 2014-05-12 / JP</p>	<p>Original Title: 1 DEVICE AND METHOD FOR MONITORING MOVING ENTITY</p> <p>English Title: 1 DEVICE AND METHOD FOR MONITORING MOVING ENTITY</p> <p>Assignee/Applicant: 1 DENSO CORPORATION</p> <p>Optimized Assignee/Ultimate Patent: 1 DENSO CORP</p> <p>IPC Class: G01S 1/00</p> <p>Publication Date (End Code): 1 2015-07-08 (A)</p> <p>Application Number / Date: 1 JP2014-088761 / 2014-05-12</p> <p>Priority Number / Date / Country Code: 1 JP2014-088761 / 2014-05-12 / JP</p>	<p>Application Details</p> <p>APPLICATION NUMBER: 201508876P1</p> <p>APPLICATION TYPE: PCT NATIONAL PHASE APPLICATION</p> <p>DATE OF FILING: 2015/07/08</p> <p>APPLICANT NAME: DENSO CORPORATION</p> <p>TITLE OF INVENTION: DEVICE AND METHOD FOR MONITORING MOVING ENTITY</p> <p>FIELD OF INVENTION: COMMUNICATION</p> <p>E-MAIL (As Per Record): nrm@denso.co.jp</p> <p>ADDITIONAL E-MAIL (As Per Record): nrm@denso.co.jp</p> <p>PCT INTERNATIONAL APPLICATION NUMBER: PCT/JP2014/088761</p> <p>PCT INTERNATIONAL FILING DATE: 2014/05/12</p> <p>PRIORITY DATE: 2014/05/12</p> <p>REQUEST FOR EXAMINATION DATE: 2015/07/08</p> <p>PUBLICATION DATE (JIS TIA): 2015/07/08</p> <p>APPLICATION STATUS: Application Withdrawn U/R 26</p>

Observation: For application IN1914/CHE/2006, legal information and other bibliographic information displayed by all the databases was same. Although information on Indian patent office website seemed more conclusive/ assertive.

7.3.5 DATA VALIDATION: DEAD & EXPIRED (TERM COMPLETED/ RENEWAL FEE NOT PAID)

Observation: For application IN194525, legal information displayed by IPO and paid databases are different. It is to be noted that while IPO may not change the status of application that may have completed its full term OR where renewal fee has not been paid*, Questel/ Derwnet are also just simply using date-based calculation to assert that patent has expired. Accordingly, for expired cases, rather than relying on questel/ DI - you should refer to another database provided by IPO that indexes expired patents. **See next section.**

Questel Orbit

Search matching structure in which a plurality of switches are included

List of publications

English Title
A SWITCH MOUNTING STRUCTURE IN WHICH A PLURALITY OF SWITCHES ARE INCLUDED

English Abstract (Ref to WI)

A switch housing 21 of a state switch 2a is inserted into an opening 14 defined in a rear transducer cover 2 in a motor vehicle, and a locking claw 30 protruding from the switch housing 2a is locked in the opening 14 by the switch housing 21 after the switch housing 21 is inserted into the opening 14. A not separately formed 21c of a lockable contact 21d exposed to a surface of the switch housing 21 comes into contact with an electric terminal 17c of a bus bar 31 exposed to a surface of the rear transducer cover 2. Thereby, electrically connecting the contact 21c with the bus bar 31 in each other. Thus, it is possible to simply and reliably perform the operation of mounting the state switch 2a to the rear transducer cover 2 and the operation of electrically connecting the state switch 2a to the bus bar 31.

Appl Inventor Language
English

Appl Inventor Address
Topo Denso Kabushiki Kaisha, JP

Publ Assignee History
Topo Denso Kabushiki Kaisha, JP

Priority Numbers & Dates
JP4242636 1996-06-27; JP4242637 1996-07-04; JP4242638 1996-07-04; JP4242639 1996-07-04

Technology Class
B23K 10/00

IPC codes Entry
H01M 2/02

Notes
Number of Claims: 4

Derwent Innovation

Original Title
A SWITCH MOUNTING STRUCTURE IN WHICH A PLURALITY OF SWITCHES ARE INCLUDED

English Title
-

Assignee/Applicant
Original: Topo Denso Kabushiki Kaisha, JP

Optimized Assignee/Ultimate Owner
TOYO DENSO KK

Optimized Assignee
TOYO DENSO KK (TDCS-C) (S)

Inventor
Shiratori Toshihiko, (S) Sakamoto Hiroshi, (S) Igasaki Masaru, (S)

Publication Date (Old Code)
2006-05-29 (B)

DSPT Accession / Update
2009-080286 / 200905

Application Number / Date
JP4242636/2006 / 1997-11-24

Priority Number / Date / Country Code
JP39961423/96 / 1996-07-31 / JP
JP39961423/96 / 1996-07-31 / JP

Indian Patent Office

INTELLECTUAL PROPERTY INDIA
GOVERNMENT OF INDIA

Control and General of Patents, Designs and Trademark
Department of Industrial Policy and Promotion
Ministry of Commerce and Industries

Application Details

APPLICATION NUMBER: 2009/0051197

APPLICATION TYPE: ORDINARY APPLICATION

DATE OF FILING: 2007-11-02

APPLICANT NAME: TOYO DENSO KABUSHIKI KAISHA

TITLE OF INVENTION: SWITCH MOUNTING STRUCTURE IN WHICH A PLURALITY OF SWITCHES ARE INCLUDED

FIELD OF INVENTION: ELECTRICAL

E-MAILING Ref. No: patent@ipoindia.com

ADDITIONAL E-MAIL (in Per Record): patent@ipoindia.com

E-MAIL (UPDATED Online):

PRIORITY DATE: NA

REQUEST FOR EXAMINATION DATE: 13/04/2003

PUBLICATION DATE (SUG. TM): 13/11/2004

Date of Certificate Issue: 18/11/2005

POST GRANT JOURNAL DATE: 19/03/2006

Application Status: **Granted Application, Patent Number :194525**

[I Register](#) [View Documents](#)

7.3.6 DATA VALIDATION - DEAD & EXPIRED (PATENT TERM EXPIRATION)

Observation: For patent IN194525, Sagacious IP observed that there is another IPO database that indexes expired patents. One must check the updated legal status on the IPO website and not on other available databases. The displayed list is dynamic (Real time basis) and is updated upon official actions. The updating period was found to be 2-15 days. An option for searching specific patent number was also available on the expired patent database. Indian Patent Office - [Expired Patents Portal -- http://ipindiaservices.gov.in/eregisterreport1/](http://ipindiaservices.gov.in/eregisterreport1/)

Patent - IN194525

Office of the Controller General of Patents, Designs & Trademarks
Department of Industrial Policy & Promotion,
Ministry of Commerce & Industry,
Government of India

INTELLECTUAL PROPERTY INDIA
INDIAN PATENT OFFICE
INDIAN DESIGN OFFICE
INDIAN TRADE MARK OFFICE

Dynamic Patent Utilities

EXPIRED PATENTS

Term Expired | Ceased Due To Non Renewal | Search By Patent Number | Search By Title Of Invention

Disclaimer : The utility displays the Patents that have ceased to be in effect u/s 3(2). The displayed list is dynamic (real time basis) and may be updated upon official actions u/s 60 (Restoration). Actual legal status may confirmed from the respective jurisdiction of Patent Office. The list also depends upon the digitization status of Patents. Therefore, discrepancy, if any should be communicated to respective Patent Office at: delhi-patent@ipc.in, mumbai-patent@ipc.in, chennai-patent@ipc.in, Kolkata-patent@ipc.in

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PATENT NUMBER

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Sr.No	Application Number	PATENT NUMBER	DATE OF PATENT	DATE OF CESSATION	TITLE OF INVENTION	STATUS
1	2690/MAS/1997	194525	24-Nov-1997	24-May-2010	A SWITCH MOUNTING STRUCTURE IN WHICH A PLURALITY OF SWITCHES ARE MOUNTED	RENEWAL DISCONTINUED

7.4 ACCURACY OF IPC CLASSIFICATIONS

7.4.1 ERRORS IN CLASSIFICATION – INDIAN PATENTS WITHOUT ANY FAMILY MEMBER(S) – BROAD IPC

Observation: Out of 34 Documents captured in a keyword search, 6 cases (of which 3 are mentioned below) were found to have classes that did not match with the actual subject matter of the patents. So, searching by IPC for Indian patents will not be reliable and should be corroborated with keyword based and other searches.

Note:

- The searching and data is restricted to Indian Jurisdiction only.
- The data is analyzed using Questel Orbit only.

Application No.	Relevant Text	Classes Tagged in Indian Patent	Relevant IPC Classes as per technical subject matter
IN1266/DEL/2011 A	Accordingly, the present invention provides <u>an outer rear-view mirror assembly</u> with a fold-unfold mechanism.	G01T Physics >> measuring; testing >> measurement of nuclear or x-radiation	B60R 1/06 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> rear-view mirror arrangements >> Rear-view mirror arrangements mounted on vehicle exterior
IN1772/DEL/2009	The present invention provides <u>an external rear view mirror assembly</u> . The present invention provides a mechanical external side rear view mirror assembly with a novel mirror setting mechanism operable by lever mechanism with the help of pull type control cables for altering the position of mirror by the driver/co-driver for attaining the required rearwards field of vision.	G01B Physics >> measuring; testing >> measuring length, thickness or similar linear dimensions; measuring angles; measuring areas; measuring irregularities of surfaces or contours	B60R 1/06 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> rear-view mirror arrangements >> Rear-view mirror arrangements mounted on vehicle exterior
IN1773/DEL/2009	<u>The movement or adjustment of mirror is controlled by plurality of control cables which are connected with a control lever of the control lever sub assembly.</u>	G01B Physics >> measuring; testing >> measuring length, thickness or similar linear dimensions; measuring angles; measuring areas; measuring irregularities of surfaces or contours	B60R 1/068 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> rear-view mirror arrangements >> rear-view mirror arrangements mounted on vehicle exterior >> rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position >> Rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position by manually powered actuators >> Rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position by manually powered actuators for adjusting the mirror relative to its housing >> Rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position by manually powered actuators for adjusting the mirror relative to its housing using cables

7.4.2 ERRORS IN CLASSIFICATION – INDIAN PATENTS WITHOUT ANY FAMILY MEMBER(S) – NARROW IPC

Observation: Further, even for cases correctly tagged - we noted that most of the results were classified only in the broad IPC classification, however, there were more relevant sub-classes available as per IPC system. So, searching by narrow IPC for Indian patents will not be useful at all.

Note:

- The searching and data is restricted to Indian Jurisdiction only.
- [B60R1/02](#) - Rear-view mirror arrangements in vehicles was simulated using (((REAR_VIEW OR WING OR SIDE) 2D (MIRROR?)) 10D (ACTUAT+ OR MECHANISM))/TI/AB/CLMS AND (IN)/PN and results were verified manually. Total 34 Documents were captured in the string.
- The data is analyzed using Questel Orbit only.

Application No.	Relevant Text	Classes Tagged in Indian Patent	Relevant IPC Sub Classes
IN4542/MUM/2015	More particularly, <u>this invention relates to provide and arrangement of button operated outward swiveling motion of the conventional rear view mirror</u> and returning back to the original position after completion of the swiveling which helps the driver to get a better and wider view of the vehicles surrounding his vehicle.	B60R 1/00 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> Optical viewing arrangements	B60R1/072 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> Optical viewing arrangements >> rear-view mirror arrangements >> rear-view mirror arrangements mounted on vehicle exterior >> rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position >> rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position by electrically powered actuators >> Rear-view mirror arrangements mounted on vehicle exterior with remote control for adjusting position by electrically powered actuators for adjusting the mirror relative to its housing
IN1532/DEL/2009 A	The present invention provides an adjustable rear-view mirror assembly with a control mechanism of an adjustable rear-view mirror assembly. <u>The present invention provides a side rear-view mirror assembly mounted outside the vehicle which is operable from a control mechanism mounted inside the vehicle with the help of two control cables.</u>	B60R 1/00 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> Optical viewing arrangements	B60R1/06 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided For >> Optical viewing arrangements >> Rear-view mirror arrangements >> rear-view mirror arrangements mounted on vehicle exterior

7.4.3 ERRORS IN CLASSIFICATION – INDIAN PATENTS WITH FOREIGN FAMILY MEMBER(S) – NARROW IPC

Observation: Different IPC classifications were listed on Indian patents from their foreign counterparts. On checking closely, we observed that classifications of foreign applications were much more accurate with respect to the technical subject matter of applications.

Note:

- The searching and data is restricted to Indian Jurisdiction only.
- [B60R1/02](#) - Rear-view mirror arrangements in vehicles was simulated using (((REAR_VIEW OR WING OR SIDE) 2D (MIRROR?)) 10D (ACTUAT+ OR MECHANISM))/TI/AB/CLMS AND (IN)/PN and results were verified manually. Total 34 Documents were captured in the string.
- The data is analyzed using Questel Orbit only.

Application No.	Relevant Text	Family Member(s)	Classes Tagged in Indian Patent	Class Tagged in Earliest Priority Patent
IN2745/DELNP/2012	The present specification relates to a patent of invention for <u>an exterior rearview mirror</u> pertaining to the field of motor vehicle accessories.	BRPI0903019 (Earliest Priority Patent) WO2011/022801 MX2012002557 CN102625754 EP2474450 RU2012112401	G01N Physics >> measuring; testing >> investigating or analyzing materials by determining their chemical or physical properties	B60R-001/06 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided For >> Optical viewing arrangements >> Rear-view mirror arrangements >> rear-view mirror arrangements mounted on vehicle exterior
IN2201/DELNP/2012	The present abstract relates to a patent of invention for <u>an interior rearview mirror system</u> pertaining to the field of motor vehicle accessories	BRPI0903001 (Earliest Priority Patent) WO2011/017789 CN102625755 EP2465729 RU2012109540 RU2547488 MX2012001861 MX345586 BRPI0903001	G01L Physics >> measuring; testing >> measuring force, stress, torque, work, mechanical power, mechanical efficiency, or fluid pressure	B60R-001/04 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> rear-view mirror arrangements >> Rear-view mirror arrangements mounted inside vehicle

7.4.4 ERRORS IN CLASSIFICATION – INDIAN PATENTS WITH FOREIGN FAMILY MEMBER(S) – BROAD IPC

Observation: Another example of patent with foreign priority. Indian Patent Application IN3282/CHNP/2014 with application date April 30, 2014 assigned three narrow classes. However, an earliest priority patent i.e. Japanese patent (JP5273286) with Publication Date May 24, 2013 was tagged with five narrow classes (and we checked that they were correct). Thus, the Indian Patent Office may not mention all the classes tagged in the Earliest Priority Patent.

Note:

- The searching and data is restricted to Indian Jurisdiction only.
- [B60R1/02](#) - Rear-view mirror arrangements in vehicles was simulated using (((REAR_VIEW OR WING OR SIDE) 2D (MIRROR?)) 10D (ACTUAT+ OR MECHANISM))/TI/AB/CLMS AND (IN)/PN and results were verified manually. Total 34 Documents were captured in the string.
- The data is analyzed using Questel Orbit only.

Application No.	Relevant Text	Classes Tagged in Indian Patent	Classes Tagged in Earliest Priority Patent (JP5273286)
IN3282/CHENP/2014	The general object of the present invention is to FIG. 5(a) illustrates <u>a position of the inside mirror 11 when the passenger 26a looks toward the rear view</u> reflected by the half mirror 21. In a state illustrated in FIG. 5(a), the rear view of the vehicle 25 with respect to the passenger 26a of the vehicle 25 is projected to the half mirror 21 and the video image is not displayed on the monitor 22. Thus, since the inside of the inside mirror 11 is dark, and the outside is in a bright state, the passenger 26a of the vehicle 25 can easily check the rear of the vehicle by the half mirror 21.	<p>B60R1/04 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> Rear-view mirror arrangements >> Rear-view mirror arrangements mounted inside vehicle</p> <p>B60R1/00 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> Optical viewing arrangements</p> <p>B60R1/12 performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> Mirror assemblies combined with other articles, e.g. clocks</p>	<p>B60R1/04 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> Rear-view mirror arrangements mounted inside vehicle</p> <p>B60R1/00 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> Optical viewing arrangements</p> <p>B60R1/12 performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> optical viewing arrangements >> Mirror assemblies combined with other articles, e.g. clocks</p> <p>B60R11/02 Performing operations; transporting >> vehicles in general >> vehicles, vehicle fittings, or vehicle parts, not otherwise provided for >> arrangements for holding or mounting articles, not otherwise provided for >> Arrangements for holding or mounting articles, not otherwise provided for radio sets, television sets, telephones, or the like; arrangements of controls thereof</p> <p>H04N7/18 Electricity >> electric communication technique >> pictorial communication, e.g. television >> television systems >> Closed circuit television systems, i.e. systems in which the signal is not broadcast</p>

7.5 MANUAL INSPECTION OF PATENT REGISTER BEFORE INDIAN PATENT OFFICE

After the publication of application, the application along with the complete specification, provisional specification, drawing, if any, and the abstract may be inspected at the appropriate Patent Office. The application, specification and other related documents are open for public inspection on payment of prescribed fee. Certified copies of any entry in the Register is available upon the payment of prescribed fee at the IPO.



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