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Cluster level IP Awareness program

An initiative of the office of the Controller General of Patents, Designs and Trademarks (CGPDTM) in association with Industry Associations (CII, FICCI, ASSOCHAM)

A. About the Initiative

Background: In the globally competitive environment, intellectual property has placed itself on a pedestal in the context of economic growth and has become more important than ever. Intellectual Property is the fuel that powers the engine of prosperity, fostering invention and innovation. Being an intangible asset, Intellectual Property plays a very important role in the socio-economic ecosystem and their creation and protection is essential for the sustained growth of a nation. Increasing significance of intangible assets in the global economy is forcing business organizations to actively manage the role of IP as a key driver for building and sustaining their competitive advantage and achieving superior performance.

Intellectual Property Rights (IPRs) are exclusive rights over such intellectual property granted to creators / holders which protect their rights from misappropriation by third parties without their authorization. They are now not only being used as a tool to protect creativity and generate revenue but also to build strategic alliances for socio-economic and technological growth. Accordingly, in order to foster the protection of innovations and creativity, the Intellectual Property Office under the Ministry of Commerce and Industry is dedicated to mobilize the use of such technological advancement for the economic development of the country.

Intellectual Property Laws in India are TRIPS compliant and coupled with a strong enforcement mechanism and a vibrant judicial system, they create the best investment opportunities and a conducive environment for protecting IP Rights in order to enable the industrial community to diversify its commercial activities.

India has also developed a national framework for creation and protection of IPRs, which is continuously evolving and meets global standards. The challenge before the country is to scale up the process of IP creation and capture value from the scientific and technological creations to catapult the country into the league of most innovative and developed nations.

Recognizing the importance of intellectual property, the Hon'ble President of India declared the decade of 2011-2020 as the Decade of Innovation. The future prosperity of India in the new knowledge economy would increasingly depend on its ability to generate new ideas, processes and solutions, and the

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process of innovation would convert knowledge into social good and economic wealth. The President called upon the people to step up expenditure on research to pursue innovation in a big way. In a globally competitive world, India had to unleash its innovation potential to increase capacity, productivity, efficiency, and inclusive growth. “The spirit of innovation has to permeate all sectors of economy from universities, business and government to people at all levels.”

Relevance and Importance of Intellectual Property Rights for cluster – The times are changing and now we can no longer count on a large and regulated market to shelter us in the 21st century. In today’s globalised scenario, industries need to step up their efforts and ability to innovate to make better products and become more proactive to protect their innovations. Innovation- the successful exploitation of new ideas- is the key business process that enables one to compete effectively in the increasing competitive global environment. It is now critical for the Indian industry to understand the implications of Intellectual Property protection – both legal and economic, to protect its own business interests in India and abroad.

However, Indian industry is yet to realize the potential role of intellectual property rights despite their inherent innovative capability. This is evident from the applications filed for protection of intellectual property rights. There exists a two-fold need with respect to intellectual property rights in India:

- Greater understanding across the industrial sector about the fundamentals and different facets of IP and,
- Advanced learning in the area of patents in order to provide trained individuals who can perform at peak potential from early in their career.

In this background, the Intellectual Property Office, in association with the Industry Associations namely the Confederation of Indian Industry (CII), the Federation of Indian Chambers of Commerce & Industry (FICCI) & ASSOCHAM, has planned to conduct a series of cluster specific awareness programs on IP in year 2013-2014 to create Intellectual Property awareness among the specific clusters so as to encourage these clusters to promote Intellectual Property Right protection.

Cluster level IP Awareness program

An initiative of the office of the Controller General of Patents, Designs and Trademarks (CGPDTM) in association with Industry Associations (CII, FICCI, ASSOCHAM)

A.1 Cluster Selected for 2013

The following clusters 12 clusters have been identified for these awareness programs:

1. Auto - Chennai
2. Leather - Ambur TN
3. Handloom - Ludhiana
4. Leather - Kanpur
5. Gems and Jewellery - Surat
6. Foundry - Belgaon
7. Auto - Pithampur Indore
8. Engineering & Technology -Nasik MH
9. Chemical - Ankleshwar
10. Machine Tools - Bangalore
11. Auto - Pune
12. Coir - Alappuzha Kerala

Cluster level IP Awareness program

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A.2 Methodology

The following methodology were used in conducting these awareness programs.

Step-1:

A one day awareness programme was held, which is designed with topics covering various aspects of intellectual Property rights including Introduction to Technology Transfer, IP Licensing, Valuation and Auditing and IP Commercialization to offer a comprehensive introduction and up-to-date knowledge to all the participants, particularly those work deals with intellectual property and its effective protection. The program will also focus on issues relating to Enforcement of IPRs & Remedies against Infringement. The 1-day programme would be tailored made as per the specific clusters' requirement.

Step-2:

The following activities was undertaken by the Industry associations.

- Mapping of Awareness levels currently existing and advice on the way forward, based on questionnaire distributed in the workshop.
- Identifying & short-listing protectable products / processes- creation of a repository of technologies/ products / processes which could be protected through IPRs.

Step-3:

- Identifying suitable IP Protection for the products/processes or designs identified.
- Suggesting mechanisms for protection of intellectual property.
- Developing a Road Map for IP Management Practices.
- Handholding activities by Industry Associations for filling IP applications.

Cluster level IP Awareness program

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B. Objectives

The Intellectual Property Office has selected twelve clusters out of 39 clusters being supported by Department of Industrial Policy & Promotion under the Industrial Infrastructure Upgradation Scheme (IIUS) for conducting the IP Awareness programs. The overall objective of the training programme is to give both advisory and protection services. The objectives of these awareness programs are mentioned below.

- To sensitize the clusters about Intellectual Property Right and their protection.
- To identify protectable innovations.
- To suggest steps for transforming innovations into proprietary assets.
- To use IP information, particularly relating to patents and designs, for further research and development in developing new product and process.
- Utilize the IP information in their business development.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

C. PLACE & VENUE

Confederation of Indian Industry (CII) in collaboration with Intellectual Property Rights office India, under Department of Industrial Policy and Promotion (DIPP) and with support of NOCCi (North Orissa Chamber of Commerce & Industry) conducted the Cluster level Awareness Session on Intellectual Property Rights for Auto plastic/ polymer cluster on 27th Nov 2013 at North Orissa Chamber of Commerce & Industry, IPF, IDCO Ganeswarpur Industrial Estate, Januganj, Balesore, Odisha.

Orissa, officially spelled Odisha, is a state of India, located on the South east coast of India, by the Bay of Bengal. Orissa is the 9th largest state by area in India. Odisha state government has put a proposed plastic, polymer and allied cluster in Baleswar on a first track basis.

A Special Purpose Vehicle (SPV) has been formed with representatives from the Government of India, the Government of Odisha and the North Odisha Chamber of Commerce and Industries (NOCCI) to ground the project. Founded with the aim to bring the industries, trade & commerce of North Orissa closer for providing a meaningful forum to interact to keep pace & integrate with the development of the state as well as fight for the rights, North Orissa Chamber of Commerce & Industry (NOCCI) shall be the interface for companies that want to do business both at the local and global level.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure I

Detailed Programme

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

ANNEXURE I

Detailed Programme

| | | |
|-----------------|--|--|
| 0900 – 1030 Hrs | REGISTRATION & WELCOME TEA/ COFFEE | |
| 1030 – 1100 Hrs | OPENING SESSION | |
| | Welcome Address | Mr Devashish Mahanti Managing Director M/s Gampas Plastech (P) Ltd & President of NOCCi |
| | Address | Shri J K Pradhan Assistant Controller Intellectual Property office, India |
| | Address | Mr Amit Behera Managing Director Oripol Industries Limited & Convenor of NOCCi Balasore Infrastructure Company |
| | Address | Mr P K Gupta Director MSME-Di |
| | Concluding Remarks | Mr. S K Khetan CII North Odisha Zonal Council Member |
| 1100 – 1230 Hrs | Technical Session I: <i>Introduction to IPR: A Basic Overview of all forms of Intellectual Property Rights & its importance with examples.</i> <ul style="list-style-type: none">• <i>Why IPR</i>• <i>IPR and Business Competitiveness</i>• <i>Patents</i>• <i>Copyrights</i>• <i>Trademarks & Service marks</i>• <i>Geographical Indicators</i>• <i>Industrial Designs</i>• <i>Trade Secrets</i>• <i>Plant Varieties</i>• <i>Semi Conductor Integrated Circuits lay out designs</i> Different aspects of Patent and Trademark related issues specific to Plastic/Polymer cluster with the Case Studies | |

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

| | | |
|------------------------|---|--|
| | Speaker | <p>Shri J K Pradhan Assistant Controller Intellectual Property office ,India</p> <p>Mr Pushpam Jha Advocate Sai Krishna & Associates</p> |
| 1230 – 1330 Hrs | Lunch | |
| 1330 – 1430 Hrs | <p>Technical Session II</p> <ul style="list-style-type: none"> ➤ <i>Introduction to technology Transfer, IP Licensing, IP Valuation & IP Audit</i> ➤ <i>IP Commercialisation</i> ➤ <i>Case Studies on IP Commercialisation & Appreciation of Revenue Models</i> ➤ <i>Case studies on IP Management</i> | |
| | Speakers | <p>Shri J K Pradhan Assistant Controller Intellectual Property office, India</p> <p>Mr Nitin Brainleague Bangalore</p> |
| | Q&A session | |
| 1430 – 1500 Hrs | Technical session III: Enforcement of IPRs & Remedies against Infringement: Case Laws | |
| | Speaker | <p>Shri J K Pradhan Assistant Controller Intellectual Property office, India</p> <p>Mr Pushpam Jha Advocate Sai Krishna& Associates</p> |
| | Q&A | |
| 1500 – 1530 Hrs | Technical Session IV: Interactive & Feed Back Session | |
| 1530 Hrs | Close of the Proceeding | |

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure II

Speaker(s) profile

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

ANNEXURE II

Devashish Mahanti

Managing Director

M/s Gampas Plastech (P) Ltd & President of NOCCI

He is an entrepreneur of long experience and a promoter of entrepreneurship, an expert on many subjects, on board of Odisha Electricity Regulatory Commission advisory board, and management board of the Central Tool Room

J K Pradhan

Assistant Controller

Intellectual Property office, India

Dr J.K. Pradhan, is working as Asstt. Controller of Patents & Designs, in the Patent Office, Kolkata. He joined in the Patent Office in 2002 as Examiner of Patents & Designs.

Dr Pradhan, obtained his Ph.D. degree in Chemistry (work relating to materials science) from Regional Research Laboratory (RRL), [presently known as Institute of Minerals & Materials Technology (IMMT)], CSIR, Bhubaneswar, Odisha. During research at RRL, Bhubaneswar, to his credit, he published several papers in various international journal of repute and also obtained an Indian Patent. He has also successfully completed various IP courses (distance learning) conducted by World Intellectual Property Organisation (WIPO).

Dr Pradhan was deputed to European Patent Office (EPO), located at Hague, The Netherland & Munich, Germany and also Japan Patent Office (JPO), located at Tokyo for participating in training programmes.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Amit Behera

Managing Director

Oripol Industries Limited & Convenor of NOCCI Balasore Infrastructure Company He is an entrepreneur of long experience. Expert in PPP and cluster development, with keen interest in entrepreneurship development & institution building.

P K Gupta

Director

MSME-Di; Odisha

He is electrical Engineer by profession and has worked with MNC like Crompton Greaves before joining Central Govt in 2001. He is also specialized in quality and lead auditor of ISO 9000. He has work experience in engineering & maintenance of transformer and vacuum equipments. He is with DI_ MSME Odisha since Feb 2001.

Pushpam Jha

Partner

Saikrishna & Associates

Graduated from the University of Delhi in 1996. Mr Pushpam Jha heads the Intellectual Property prosecution practice (trade mark, copyright and design advisory, registration, maintenance, opposition and cancellation) of the Firm.

His IP prosecution expertise apart, Mr Jha heads the District Court Intellectual Property litigation practice of the Firm as well. He is an expert in both Civil and Criminal Intellectual Property litigation and has acted for several Fortune 100 companies particularly in Criminal litigation which has required the securing of search warrants in matters involving the counterfeiting of trademarks.

Mr Jha has also spoken at several domestic and foreign seminars on Intellectual Property prosecution and enforcement issues. He is also one of the members in the International Trade Marks Association's (INTA), Enforcement Committee.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Nitin

Brainleague

Mr Nitin heads the electronics and telecommunications patent services team at Brain League. As a Partner, he supervises projects related to the electrical, electronics, communications and software sectors. He works with some of the leading companies in electronics, software and telecommunication sectors on patent searching, drafting and prosecution projects. Mr Nitin also helps clients make decisions on product launch and strategy by providing FTO analysis, infringement analysis and technology landscaping reports.

Mr Nitin is a member of the quality control team at Brain League and plays an important role in defining quality processes and standards. Before starting his career in patents, Mr Nitin worked with companies in the US on projects relating to Radio Frequency and Communications.

Mr Nitin has completed his Bachelors in Engineering in Electronics and Telecommunication from Bombay University and subsequently, pursued his Masters in Electrical Engineering, specializing in Radio frequency Engineering from Syracuse University, USA.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure III

List of Registered Participants

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

ANNEXURE III

| Cluster level Intellectual Property Awareness Program | | | |
|---|-------------------|--------------------|------------------------------|
| 27 November 2013; North Orissa Chamber of Commerce & Industry, IPF, IDCO Plot No- Ganeswarpur Industrial Estate, Januganj, Bilsore, Odisha | | | |
| S. No. | Name | Designation | Organisation |
| 1 | Sndhamn | Dy. Manager | Birla Tyres |
| 2 | Saroj Kumar | Team Member | Birla Tyres |
| 3 | Suvam Dutta | Team Member | Birla Tyres |
| 4 | Abu Hurairah | Jr. Officer | Birla Tyres |
| 5 | P. Pradhan | Manager | Jagdamba Polymer Pvt Ltd |
| 6 | Jiban Satpath | Executive | NOCEI |
| 7 | Abdul Alim | AGM | Shree Giriraj Industries |
| 8 | Sa | DD | Bosch |
| 9 | G Patnak | GM (Sec) | Bosch |
| 10 | Srikanta Parida | Manager (Sales) | Dziamond Chemicals Bls |
| 11 | Girishel Pande | Legal | Cocipal Ind Ltd |
| 12 | S.N. Dash | HR Admin | |
| 13 | Praseniit Masee | Director | Maa Laxmi Agro Pvt Ltd |
| 14 | Sanjay Mema | Unit Head | Everest Intel |
| 15 | Harish Pald | Director | Neelanchal Products (P) Ltd |
| 16 | V K Meedevi | Manager Finance | NBIC |
| 17 | N. Pathak | Director | NBIC |
| 18 | Amit Kumar | Ex Director | NBIC |
| 19 | G.S. Mashev | Ex HRS Admin | NBIC |
| 20 | M. Maheware | Ex. Officer | NOCCI |
| 21 | Amit Behari | Director | |
| 22 | S K Khetna | Sr VP | Emami Paper |
| 23 | D. Mahanti | President | NOCII |
| 24 | Soumya Das | Secy MDIA | MDIA |
| 25 | Sudipta Mohankar | Prop | Meghasin & Meghasn |
| 26 | Vijay Kr. | President | M/S Vijay Eng |
| 27 | Piyush Somain | Director | SNM |
| 28 | C.P. Bhartia | Director | NOCCI |
| 29 | D, Mayti | Sr. Manager | Utkal Polymer Pvt Ltd |
| 30 | Manoj Kr. Pradhan | | NOFMC |
| | | | |

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

| | | | |
|----|--------------------|------------------|------------------------|
| 31 | Sipra Bajpai | CSR Coordinator | NOFMC |
| 32 | Push Pam Jha | Advocate | Sri Krishna Associates |
| 33 | J.K. Pradhan | Asst. Controller | IP Office India |
| 34 | Nitin | | Brain League |
| 35 | Srikant Vishvanath | Executive Head | CII Balasore |
| 36 | Pradeep Nayak | Executive | CII Balasore |

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure IV Feedback

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

ANNEXURE IV

FEEDBACK

Evaluation of the programme was done on the following basis:-

- Overall Programme Evaluation
- Programme Structure
- Quality of Sparkers
- Content of Presentation
- Level of Learning

Feedback from Participants

As per the feedback received by the participants present at the workshop the quality of the speakers and the content of the presentation was good.

The participants were enthusiastic to know about different aspects of IPR and its procedural details.

The participants actively involved in the discussion.

General Feedback

- Most of the attendees took their lunch and left the premises hereafter. This left the post-lunch sessions almost empty. Providing some sort of incentive (participation certificate or something like that) which would be given out at the end of the session to the people who sit for the whole session.
- The speaker particularly for technical session should be confirmed/intimated well in advance.
- It is better to organise the seminar in the main city.
- Since it is a awareness programme, it needs proper advertisement in local media and also display of banner in important places along with the venue.
- As the participants are more interested in procedural aspects for filing Patents/Designs/Trademarks, one technical session may be allotted to resource person from IPO.
- The level of awarness amongst the participants was very low.

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

PRESENTATIONS

IP And Business
By
Nitin Nair
Brain League

Stop competitors

Increase revenues

Generating licensing revenues

Increasing financial value

Business value of IP

Patents

Copyrights

Trademarks

Design

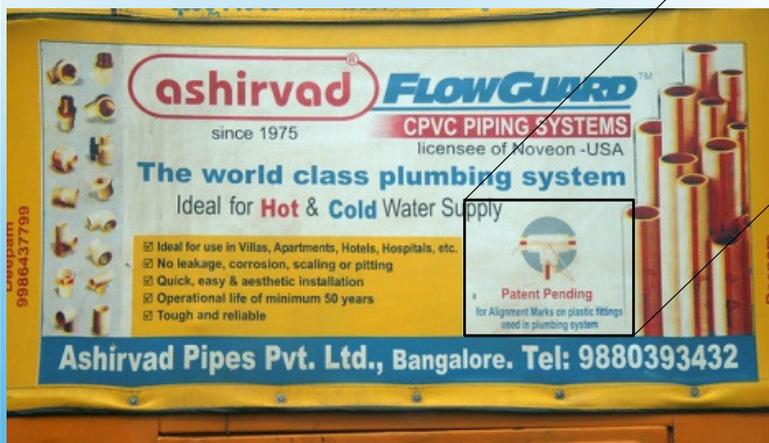
Stop competitors

- Notices
- PR
- Marketing materials

Stop competitors



Stop competitors - Notices



Stop competitors - Notices



Stop competitors - Notices

Prevent loss of business revenue

Build new business opportunities

Revenue through exclusivity

Increase revenues

High potential

Highly neglected

Problems in implementation

Licensing Revenue

X invents a flexible clothes hangar. Gets a patent granted on it, but his distribution network is limited to Maharashtra.

How can he generate revenue from other places?

Exercise

In a non-IP savvy company

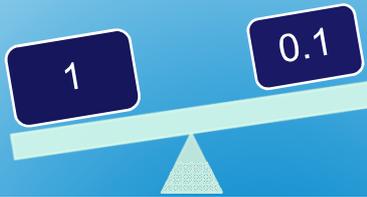
In an IP savvy company

Tangible Assets

Intangible Assets

Tangible Assets

Intangible Assets



Increasing financial value

Competitive edge

Government tenders

Advertising and marketing campaigns

Business Development

Plast, a company that makes plastic bags, develops a machine and a process for making bags indigenously. The machine is ten times less costly than its foreign counterpart. It allows the company to make double the bags when compared to the existing machines. The process helps in improving the quality of the products.

What should the company do to gain business value?

Exercise

Cost and effort of

- Protection
- Maintenance
- Management
- Enforcement

How do you decide on filing?

- Finding the number of IPs present within a company
- Current IP management process in a company
- Provide recommendations
 - Protection
 - Process

IP Audit

A SME based in Orissa

- Audit performed under the UNIDO program
- Trademarks and designs uncovered
- Trademarks and designs filed

IP Audit – Case study

A SME based in Mumbai

- Audit performed under the UNIDO program
- Patents, trademarks and designs uncovered
- Patents, trademarks and designs filed

IP Audit – Case study

- Estimating the value of an IP
- Monetary range
 - Claim coverage
 - Prior arts
 - Number of patents in that technology area
 - Previous transactions in that technology area
 - Market

IP Valuation

A leading food industry company

- Patents related to pav bhaji and misal rassa
- Industry standards/rating method used
- Value: Rs. 1.5 - 2.5 crores

IP Valuation – Case study

- Evaluate strength of patent
- History of patent
- Agreement
 - Terms and conditions/duration
 - Payment terms
 - Usage
 - Termination

Technology Transfer - Patent

- Evaluate strength of technology
 - FTO
- Agreement
 - Terms and conditions/duration
 - Payment terms
 - Usage
 - Termination

Technology Transfer – Non-patent

- Exclusive/Non-exclusive
- Duration
- Royalty rates

Licensing

Nitin Nair

nitin@brainleague.com

9901633100

Thank you

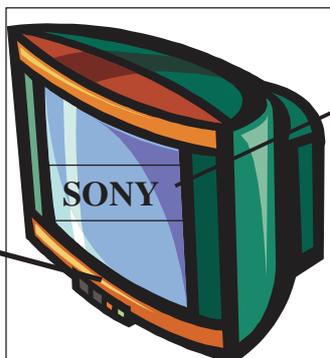
Patent Filing Procedure in India

Dr Jitendra Kumar Pradhan
Assistant Controller of Patents & Designs
Patent Office, Kolkata, India
E- mail: jkpradhan.ipo@nic.in

PRODUCT OF MIND INTELLECTUAL PROPERTY

Patent

An invention on
remote control
mechanism can be
protected by Patent



Trade Mark

“SONY” can be protected by
Trademark



Copyright

TV instruction manual
can be protected by
Copyright

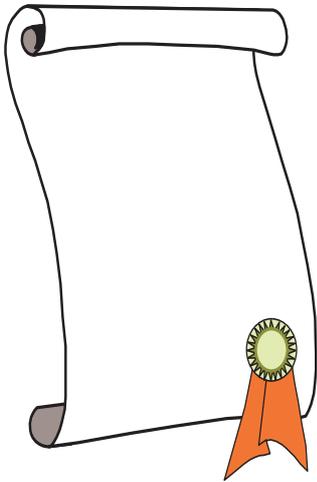
Design

An aesthetic view of TV
set can be protected by
Design



INTELLECTUAL
PROPERTY **INDIA**

WHAT IS A PATENT



- **A Patent is an exclusive territorial right conferred by the state to the inventor/applicant to exploit his/her invention for commercial benefit for a limited period in consideration of his/her complete disclosure of the invention.**
- **It is a negative right, it prevents other from using this right without the consent of the patentee.**
- **The Patent is granted as per the Patents Act, 1970 as amended by the Patents (Amendment) Act, 2005.**



INTELLECTUAL
PROPERTY **INDIA**

- ❖ **A Patent Right is territorial in nature.**
- ❖ **Term of Patent – 20 years**
- ❖ **There is no global Patent.**

IS IT NECESSARY TO FILE AN APPLICATION FOR PATENT

- An inventor can secretly exploit his/her invention exclusively without disclosing his/her invention to anybody
- **BUT** ? -- There is a great risk involved by way of leaking out or development of technology by others, **LOSS** of exclusivity when investment is high
- **SO**, it is always beneficial for the inventor to file an application for Patent

Benefits of Patent

- Provides threshold knowledge for young and promising scientists in their research and development work.
- Providing reward as exclusive rights
- Making profits through putting the invention into practice
- Reinvestment from profits for new research
- Socio-economic and technological development of country
- Recognition in society
- The burden of duplication of the invention is avoided : it saves further spending of time and money; **STOPS WASTAGE OF RESOURCES.**

Bibliographic Information

- Date of Filing & Publication
- Name & Address of Applicant
- Title, Classification, Abstract, Drawing, Formula etc.
- Corresponding Priority Application /Patent

Technical Information

- ☯ State of Art
- ☯ Description
- ☯ Drawings
- ☯ Claim(s)

7

Indian Patent Law:

HISTORICAL DEVELOPMENT ...

- The Act of 1856 based on UK Act Of 1852
- The Act of 1859,
- The Patterns & Designs Protection Act, of 1872
- The Protection of Invention Act, of 1883
- The Patents & Designs Act 1911
- The Patents Act of 1970
- Further Amendments to The Patents Act of 1970
 - 1999, 2002
 - 2005

8



Brief Patenting Procedure

Pre-filing :

Why?
Who?
When?
What & What not?
Drafting of specification
Unity of invention
Types of application
Types of patent specification

Filing:

Where?
How?

Processing:

Formal requirements
Technical requirements

Granting:

Term of patent
Date of patent



Pre-filing....

Sec 3 (a)

Contrary to well established natural laws

(machine alleged to be giving output without any input is not patentable as it is contrary to natural law)

Sec 3 (b)

Contrary to public order or morality or which causes serious prejudice to human, animal or plant life or health or to the environment

(Food adulteration method, machine or method for counterfeiting of currency notes, method for pre-natal sex determination)



INTELLECTUAL
PROPERTY **INDIA**

Pre-filing.....

Section-3(c)

Mere discovery of a scientific principle or the formulation of an abstract theory or discovery of any living thing or non-living substances occurring in nature

[Discovery of a plant, animal, microorganism occurring in nature (identified or isolated) Natural Gene sequence, DNA sequence or amino acid sequences. Non biological materials such as new mineral, ore, crude oil, gas, an element, salt etc. discovered or identified]



INTELLECTUAL
PROPERTY **INDIA**

Pre-filing.....

Sec 3 (d)

Mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy of that substance or the mere discovery of any new property or new use for a known substance or of the mere use of a known process, machine or apparatus unless such known process results in a new product or employs at least one new reactant.

(Aspirin for use of treatment of cardiac disease cannot be considered patentable as, it is known earlier for analgesic use but an alternative process for preparation of Aspirin is patentable)

Section(e)

A substance obtained by a mere admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such substance.

(Paracetamol and Ibuprofen for curing fever and pain or process of preparation thereof is not patentable for the reason that the composition is a mere admixture of two drug components resulting into aggregation of properties thereof; since Paracetamol is well known for treatment of fever and Ibuprofen for treatment of pain.)

However, if the combination results in a synergistic effect/unexpected properties, it's patentable

Sec 3 (f)

Mere arrangement or re-arrangement or duplication of known devices each functioning independently.

(Clock and transistor in a single cabinet)

Section 4

Inventions relating to Atomic energy

[Substances falling within section 20 (1) of the Atomic Energy Act not patentable]

(A process for preparation of Uranium chloride useful in radio diagnosis the process comprising.....)

Cases referred to the DAE. Decision is final. No Appeal

Section 35-38

Defence related inventions referred to Ministry of Defence

Empower the Central Govt. to use [Section 100, 101] such inventions and also empower it to prohibit the publication (secrecy direction) of the information relating to such inventions by any person.

No patent granted till secrecy direction is in force

How???

1. Application on Form - 1
2. Full disclosure on Form – 2
Provisional or Complete Specification
Complete has to be filed within 1 year of provisional filing
3. Foreign filing details on Form – 3
4. Declaration of Inventor ship on Form 5
5. Priority document if applicable (certified copy of basic applicn.)
6. Translated copy of priority document
7. Assignment where applicant is other than inventor
8. Power of attorney if filed thorough patent agent
9. Request on Form - 9 (If early publication required)
10. Request for examination on Form – 18
11. Prescribed fees (www.ipindia.nic.in)

E-Filing

www.ipindia.nic.in

Contd.....

Types of Specification

PROVISIONAL

Description of essential features of invention
Need not include claims & manner of performing invention

Advantage:

To obtain priority i.e, protection from early stage of invention

COMPLETE

Should fully and particularly describe the invention & method of performing

Must contain a set of claims

Should be filed within 1 yr of filing provisional specification



INTELLECTUAL
PROPERTY **INDIA**

Inventions Related to Biological Materials

If any invention is based on research on biological resources obtained from India, the applicant has to get the approval from National Biodiversity Authority, India, before grant of the patent.

Section 6 of Biodiversity Act, 2002
www.nbaindia.org

Modernised Intellectual Property Offices INDIA

Infrastructure

HRD

Digitisation

e-Examination

e-Filing

Publication

Online search facility

Computerisation of office procedures

Recently Appointed as ISA & IPEA



IPO Mumbai



IPO Delhi



IPO Kolkata



IPO Chennai

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure V

News Coverage

Cluster level Intellectual Property Awareness Program (Cluster: Plastic / Polymer)

ANNEXURE V

The event was covered by various media houses. The glimpse of the same are attached as below.



Plastic Polymer Awareness Programme covered in local newspaper Sambandh on 28 Nov 2013

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure VI

Glimpse of The Event

Cluster level Intellectual Property Awareness Program (Cluster: Plastic / Polymer)

ANNEXURE VI



Mr. Amit Behera, Managing Director, Oripol Industries Limited addressing the participants during the workshop



Participants during the Cluster level Intellectual Property Awareness Program for Plastic & Polymer Cluster

Cluster level Intellectual Property Awareness Program (Cluster: Plastic / Polymer)



Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

Annexure VII

About Organisers

Cluster level Intellectual Property Awareness Program

(Cluster: Plastic / Polymer)

ANNEXURE VII

About CII

The Confederation of Indian Industry (CII) works to create and sustain an environment conducive to the development of India, partnering industry, Government, and civil society, through advisory and consultative processes.

CII is a non-government, not-for-profit, industry-led and industry-managed organization, playing a proactive role in India's development process. Founded over 118 years ago, India's premier business association has over 7100 members, from the private as well as public sectors, including SMEs and MNCs, and an indirect membership of over 90,000 enterprises from around 257 national and regional sectoral industry bodies.

CII charts change by working closely with Government on policy issues, interfacing with thought leaders, and enhancing efficiency, competitiveness and business opportunities for industry through a range of specialized services and strategic global linkages. It also provides a platform for consensus-building and networking on key issues.

Extending its agenda beyond business, CII assists industry to identify and execute corporate citizenship programmes. Partnerships with civil society organizations carry forward corporate initiatives for integrated and inclusive development across diverse domains including affirmative action, healthcare, education, livelihood, diversity management, skill development, empowerment of women, and water, to name a few.

The CII Theme for 2013-14 is **Accelerating Economic Growth through Innovation, Transformation, Inclusion and Governance**. Towards this, CII advocacy will accord top priority to stepping up the growth trajectory of the nation, while retaining a strong focus on accountability, transparency and measurement in the corporate and social eco-system, building a knowledge economy, and broad-basing development to help deliver the fruits of progress to all.

With 63 offices, including 10 Centres of Excellence, in India, and 7 overseas offices in Australia, China, Egypt, France, Singapore, UK, and USA, as well as institutional partnerships with 224 counterpart organizations in 90 countries, CII serves as a reference point for Indian industry and the international business community.

Cluster level Intellectual Property Awareness Program

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About IPO

The Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM) is located at Mumbai. The Head Office of the Patent office is at Kolkata and its Branch offices are located at Chennai, New Delhi and Mumbai. The Trade Marks 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 working of the Patents Act, 1970, as amended, the Designs Act, 2000 and the Trade Marks Act, 1999 and also 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.

About NOCCI (North Orissa Chamber of Commerce & Industry)

NOCCI Balasore Infrastructure Company is a Special Purpose Vehicle (SPV) promoted by the North Orissa Chamber of Commerce & Industry (NOCCI) for implementation of various project components at Balasore under Industrial Infrastructure Up-gradation Scheme (IIUS) with support of Govt. of India & Govt. of Orissa.

NOCCI (North Orissa Chamber of Commerce & Industry) will act as a catalyst for “dream, plan and action” on all issues of concern to industry. NOCCI vision is to identify and strengthen the role of industry & commerce of North Orissa in tandem with the economic development of the state, & country.

Founded with the aim to bring the industries, trade & commerce of North Orissa closer for providing a meaningful forum to interact to keep pace & integrate with the development of the state as well as fight for the rights, North Orissa Chamber of Commerce & Industry (NOCCI) shall be the interface for companies that want to do business both at the local and global level.

NOCCI would catalyse change for its member companies of all sizes, both from public and private sectors, by working closely with government on policy issues, enhancing efficiency, competitiveness and expanding business opportunities through a range of specialised services.