



**INTELLECTUAL
PROPERTY INDIA**

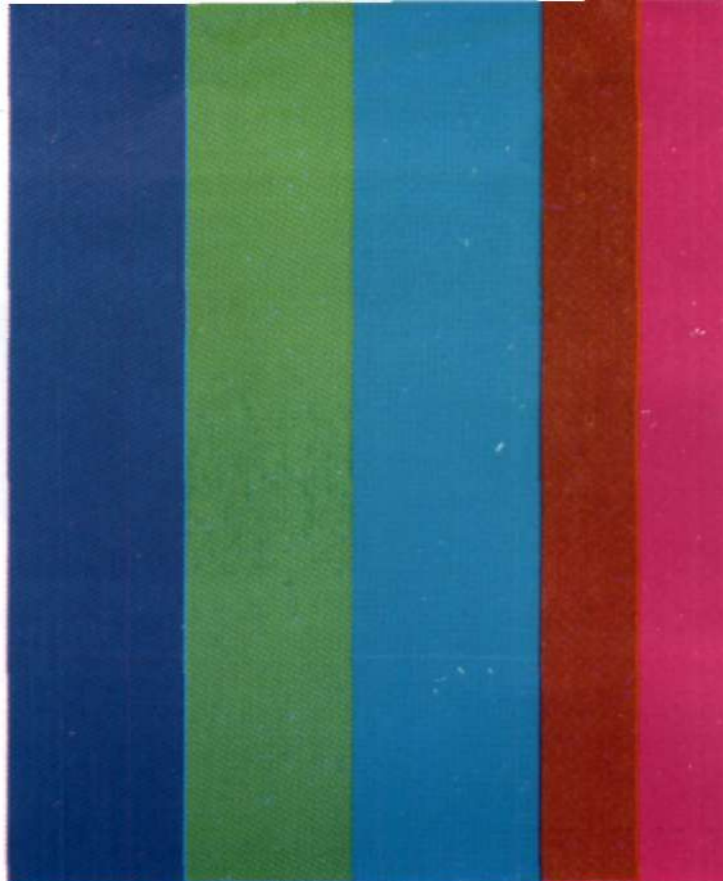
**PATENTS / DESIGNS / TRADE MARKS /
GEOGRAPHICAL INDICATIONS**

**Annual Report of the Office of the Controller General of Patents,
Designs, Trade Marks & Geographical Indications**

1

ANNUAL REPORT - PATENTS, DESIGNS, TRADE MARKS & GEOGRAPHICAL INDICATIONS

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OVERVIEW

The growth of the Indian economy has made Intellectual Property protection much more contextual than ever before. This is not only necessary to afford protection of innovations & thereby safeguard the interests of the inventors but is also necessary to strategize R&D activities and leverage it to create Intellectual Property assets. An appreciation of this vital role played by Intellectual Property in a globalized setting will make the industry and the economy more vibrant and competitive & help them to become key players both in the national as well as in international landscape. There are visible tell-tale signs that the Indian industry has begun to realize the potential of this grossly untapped segment while formulating its strategic objectives. The Government of India too has taken many initiatives to modernize the IPR administration in the country. These include improvement in the infrastructure, legislative changes as well as administrative steps to create a modern and facilitative set up. New legislative changes were required to honour country's international obligations under the TRIPS Agreement.

The sheer pace of development of science and technology and globalization of economy, the creation, possession and use of IPR resources have become an important basis for participation of various countries in international competitive arena. With the increasing responsibility, the office of the Controller General of Patents, Designs and Trade Marks which is a subordinate office of the Department of Industrial Policy and Promotion under the Ministry of Commerce & Industry, Government of India at New Delhi has ensured a framework to harmonize the public concern and effective intellectual property rights policy. Under its control Patents, Designs, Trade Marks and Geographical Indications Laws are being administered in the country. The detailed organizational chart of the department and different offices working under it are given later.

Information with respect to the role and functions of the offices under the Controller General of Patents, Designs and Trade Marks is furnished below. Details of activities of these offices are available in the relevant reports, which are followed thereafter:

PATENTS

The Head Office of the Patent Office is located at Kolkata, with branch offices situated at Chennai, Mumbai and Delhi. The Patent Office performs the statutory duties in connection with the grant of Patents for new inventions originating in the country and abroad in accordance with the provisions of The Patents Act, 1970 as amended by the Patents (amendment) Act, 1999 (effective from 01.01.1995) and Patents (Amendment) Act, 2002 (effective from 20.05.2003). The amended law not only meets the TRIPS agreement obligations as on date but also provides for adequate protection of public interest, national security, biodiversity traditional knowledge etc. In its effort to total compliance of TRIPS Agreement regarding putting in place of provisions for product patents on Food/ Drugs with effect from 01.01.2005, a third amendment to the 1970 Act by Patents (Amendment) Bill, 2003 was placed in the Lok Sabha in December, 2003. Subsequently due to the dissolution of the Lok Sabha for the general elections the matter has become pending before the present UPA Government regarding the enactment of the said Bill and to meet the remaining TRIPS obligation.

In order to effectively administer the law with the objective to become a leading Patent Office in the world with the best in business in terms of quality of service, importance of human resource with their proper training was given utmost importance. About 100 additional Patent Examiners were appointed. All of them were given the necessary training at the IPTI, Nagpur. With the increase in the number of

trained Examiners in various fields of subjects of specialization, it is now felt that the Indian Patent Office is fully equipped also to handle the complex applications on newer emerging technologies effectively. The process of modernization of the Patent Office on computerization and information technology was continued further with the development of the different software modules by the C-DAC, New Delhi in order to achieve full computerization of the patent administration. Construction of modernized buildings for Intellectual Property Offices have already been started in Delhi and Kolkata and progressed well during the period. Construction activities for Mumbai and Chennai offices are also expected to start shortly.

Photographs of the models of the proposed I PR buildings at four metro cities are shown below:

DELHI



MUMBAI



KOLKATA



CHENNAI



17 Officers from the Patent Offices received different foreign trainings/attended Seminars/workshops during this year from the different foreign authorities like the WIPO, Geneva, Japanese Patent Office, Tokyo, EPO, Netherlands, Germany and countries like Korea, Malaysia etc.

Recognizing the critical importance of awareness of IP system in the country especially among scientists and technologists, patent offices has been undertaking awareness generation programmes and assisting other organizations in similar activities. These were in addition to several events organized in co-operation with local chambers of commerce in different cities and other reputed organizations like Indian Drug Manufacturers Association, ICMR, NTs, Universities, Technology Information,

Forecasting and Assessment Council (TIFAC) and so on.

The office of CGPDTM is a revenue generating office. During the year 2003-2004, through Intellectual Property (IP) administration, the Patent Office has generated an income of Rs.20.07 crore, the Designs Wing Rs.0.53 crore and the Trade Marks Registry Rs.27 crore and GIR Rs.45,000. As against this, the non-pian expenditure by the Patent Office (including the Design Wing) was Rs.4.73 crore and Rs.4.49 crore by the Trade Marks Registry while by GIR it was 0.21 crore. Thus against a total revenue earned of Rs.47.67 crore during 2003-2004, the actual expenditure for Patents, Designs & Trade Marks (including PIS) was Rs.9.43 crore leaving a revenue surplus of Rs.38.24 crore.

DESIGNS

The Design administration is done within the Patent Office located at Kolkata only. However, filing of design applications through the Patent branch offices at Delhi, Chennai and Mumbai is also done. The Designs Act, 2000 modernizes the earlier legislation of 1911 to provide for a wider ambit of coverage and incorporates several user-friendly features in order to harmonize the legislation with similar Acts in other countries. The modernized Design Office has been operational since June, 2002. As part of the modernization process, 83,000 registered designs have already been digitized. It is now required to place them online in a searchable database so that the Examiners can conduct the novelty searches. In addition, software modules related to filing & examination of designs are on the verge of completion. Demonstration of these modules had been given by C-DAC, New Delhi & the feedback received from the participants are being incorporated to upgrade the efficacy of these softwares. The thrust of the modernization

programme for Designs wing includes a transition from the essentially paper based examination procedures to an IT based system supported by the computerization of existing records, online search facilities, setting up of a user friendly website and the creation of a digital library.

TRADE MARKS

The Trade Marks Registry (TMR) with Head office at Mumbai with branches at Ahmedabad, Chennai, Delhi & Mumbai administers the Trade Marks Law in the country. The new Trade Marks Act, 1999 has come into force w.e.f. 15.09.2003 superseding the earlier Trade and Merchandise Marks Act, 1958. The role of the Trade Marks Registry in the administration of the new Act has increased substantially as it includes amongst others protection of service marks for services, well known marks etc. In addition, the Trade Marks Registry closely monitors the developments in the international fora & provide critical inputs on emerging issues relating to Domain name protection & International Proprietary names. It also carries out periodical awareness programmes to instill greater knowledge about trademark related issues among the general public. The activities of the Trade Marks Registry include the processing of applications for the protection of Trade Marks, which involves search, application data entry, scanning, codification, examination, advertisement, opposition hearings, registration, renewal & post renewal work related to Trade Marks.

NATIONS

The protection of well-known Geographical names of goods is registered by the Geographical Indications of Goods (Registration & Protection) Act, 1999, which has come into force on 15th September 2003.

The Geographical Indication Registry is established at Chennai under the control of the Controller General of Patents, Designs and Trade Marks at Mumbai who is also the Registrar of Geographical Indications. The objectives of the new law are to afford protection of intellectual property inherent in Geographical Indications & thereby prevent their misuse & also to foster growth of exports of goods bearing Geographical Indications.

PATENT INFORMATION SYSTEM:

The Patent Information System (PIS) at Nagpur, another organization under the office of the Controller General of Patents, Designs and Trade Marks has been functioning as patent information base for the users since 1980. The PIS maintains a comprehensive collection of patent specifications and patent related literature, on a world-wide basis and provides

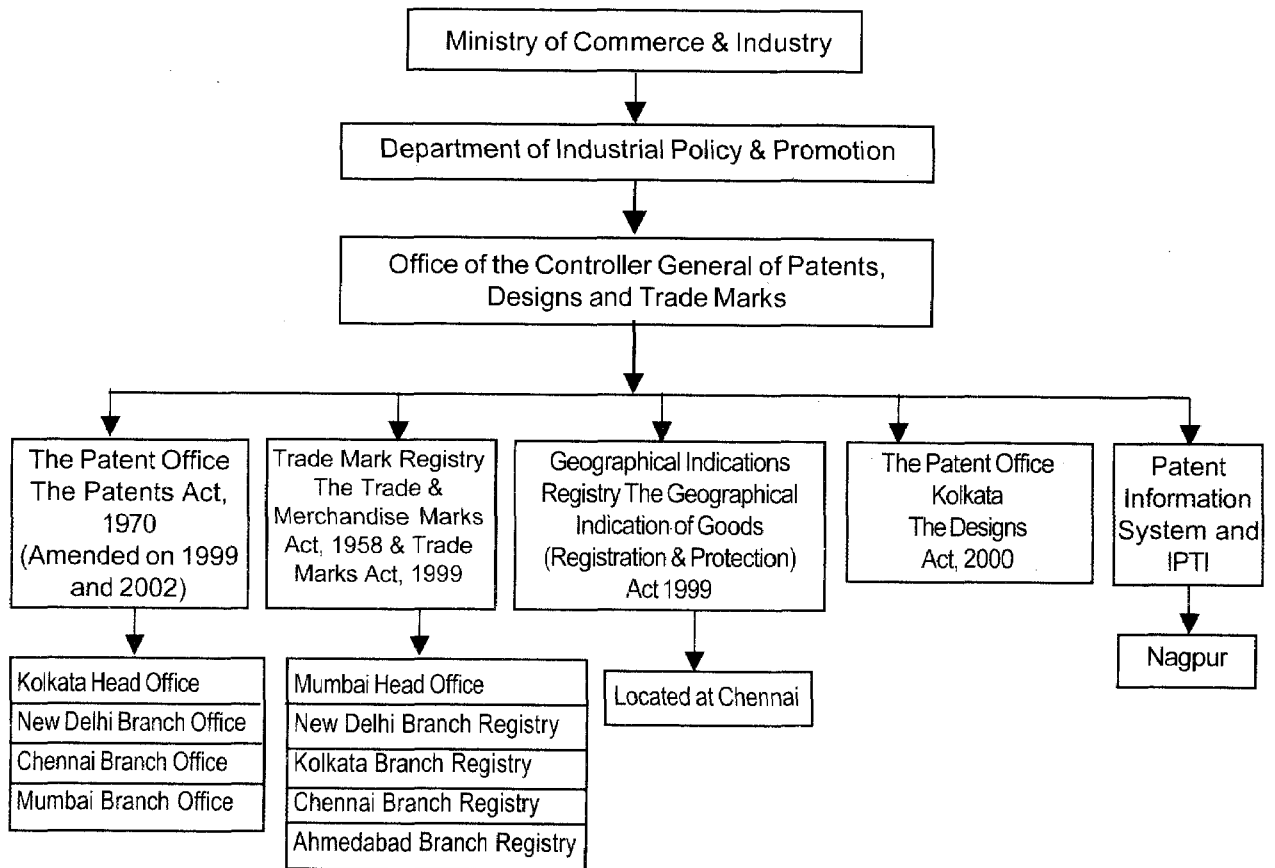
technological information contained in patent or patent related literature through search services and patent specification copy supply services to various users of R&D establishments Government Offices, private industries, business, investors and other users within India.

INTELLECTUAL PROPERTY TRAINING INSTITUTE (IPTI):

Intellectual Property Training Institute (IPTI), Nagpur situated at the same premises of PIS has been established in the year 2002 under the office of the Controller General of Patents, Designs and Trade Marks. It conducts training programmes meant for personnel's engaged in IPR matters and also provides training to Patent Examiners. It also organizes awareness programmes for other users such as patent attorneys, scientists, researchers etc.

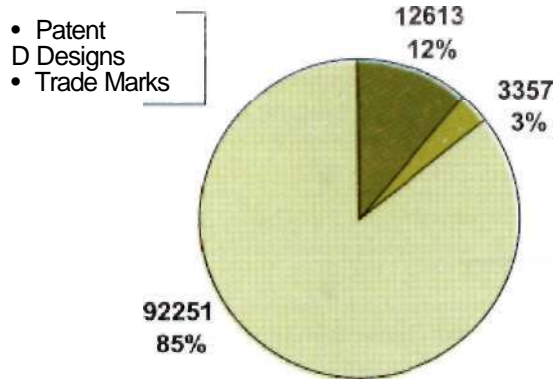


ORGANIZATION CHART

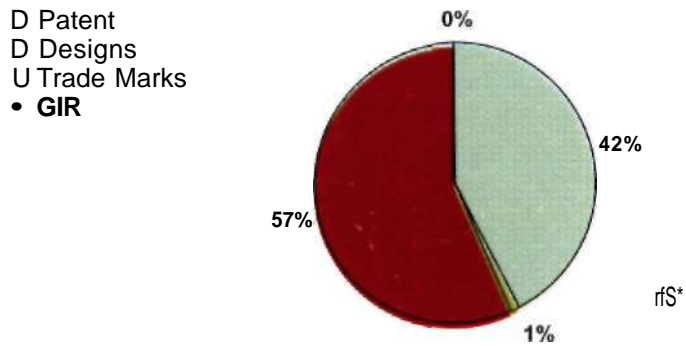


HIGHLIGHTS AT A GLANCE

APPLICATIONS IN 2002-03



REVENUE GENERATED IN 2002-03



Revenue generated during the year 2003-2004

Patents	Rs. 16,53,66,982
Trade Marks	Rs. 27,06,75,959
Designs	Rs. 53,01,165
GIR	Rs. 45,000
Total	Rs. 47,67,53,341

EXPENDITURE DURING THE YEAR 2003-2004

Patent Office (Including Designs)	Rs. 4,73,00,000
Trade Marks	Rs. 4,49,46,640
GIR	Rs. 21,00,000
Total	Rs. 9,43,46,640

YEARS TREND IN PATENTS APPLICATIONS

	1998-99	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
Filed	8954	4824	8503	10592	11466	12613
Examined	2931	2824	4264	5104	9538	10709
Granted	1800	1881	1318	1591	1379	2469

YEARLY TREND IN DESIGN APPLICATIONS

	1998-99	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
Filed	3076	2874	3207	3350	3124	3357
Examined	2148	2067	3207	3480	3124	3228
Registered	2219	1382	2430	2426	2364	2547

YEARLY TREND IN TRADE MARK APPLICATIONS

	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04
FILED	46712	51704	66378	84275	90236	94120	92,251
EXAMINED	7116	42104	42500	70115	159735	249003	89958
REGISERED	4120	5300	8010	14202	6204	11190	39,762

COMPARATIVE TREND IN IPRs GRANTED

	1994-1995	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
Patents	1759	1533	907	1844	1800	1881	1318	1591	1379	2469
Designs	1430	1851	1765	1879	2219	1382	2430	2426	2364	2547
Trade Marks	6209	5310	4686	4120	5300	8010	14202	6204	11190	39762



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**32nd Annual Report Under Section 155 of the
Patents Act, 1970 (as amended)**

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**32nd ANNUAL REPORT OF THE PATENT OFFICE
UNDER SECTION 155 OF THE PATENTS ACT, 1970
AS AMENDED**

1. INTRODUCTION

The grant of Patents in India is governed by The Patents Act 1970 as modified by the Patents (Amendment) Act, 1999 and Patents (Amendment) Act, 2002. The new law has come into force on 20th May 2003. While the 1999 amendment was mainly for the introduction of a provision for filing applications on drugs/agrochemicals as products and also for a provision for grant of exclusive marketing rights on drugs & agrochemicals, the 2002 Act encompasses comprehensive amendments in line with the requirements of the TRIPs Agreement.

The highlights of the Patents (Amendment) Act 2002 are given below:

- | | |
|--|---|
| <ul style="list-style-type: none"> i. Definition of invention widened; ii. Scope of non-patentable inventions modified; iii. Provision for mandatory deposition of biological material mentioned in the specification in a recognized depository institute and disclosing the source and geographical origin of the biological material; iv. Consideration of a "single" invention is based on a single inventive concept; v. Publication of applications after 18 months for non-defence related cases; vi. Provision for request for examination; vii. Provision for reduced time of 12 months without any extension of time for complying with office objections; viii. Two new grounds of opposition and revocation, namely, non-disclosure or | <ul style="list-style-type: none"> false mentioning of source or geographical origin of biological material used and anticipation with regard to the knowledge, oral or otherwise available within any local or indigenous community; ix. Reintroduction of Section 39 in modified form regarding prohibition to apply for patents abroad relevant for defence purposes; x. Sealing (grant) is subject to satisfying all the provisions of the Act; xi. Date of patent is the date of filing of an application; xii. Rights of a patentee modified; xiii. Term of a patent extended to 20 years in general including those granted before this amended law and are in force; xiv. Keeping/maintaining Register of patents wholly or partially in electronic form; xv. The chapter XVI concerning "working of patents", "compulsory licences" etc has been thoroughly modified; xvi. Introduction of Bolar provision in a modified way concerning working of the patented inventions for development and submission of information required under the law shall not be considered infringement; xvii. Introduction of a provision for "parallel imports" by an authorized person which provision shall not be considered infringement of rights. This is mainly intended to keep the patented drug prices under control; |
|--|---|

- xviii. Provision for better relief in suit for infringement;
- xix. A new chapter XIX introducing a new provision for appeals to the Appellate Board in place of High Court in order to settle quickly the disputes within the Board outside High Court. However, this provision has not yet come into force;
- xx. Scope of convention country is modified to include group or union of countries or inter-governmental organizations;
- xxi. Provision for deferred payment of prescribed fees;
- xxii. Provision for stricter protection on security of India.

The philosophy behind the grant of patents is to encourage inventions and to ensure that the inventions are worked in India on a commercial scale and to the fullest extent that is reasonably practicable without undue delay. Patents are not granted merely to enable the patentees to enjoy the monopoly for importation of the patented articles. An obligation is, therefore, imposed on the patentee to work the patents in India on a commercial scale and to the fullest extent.

A review of the activities of the Patent Office at Kolkata and its branch offices at Chennai, Delhi and Mumbai, in course of the administration of the patent law during 2003-2004 are embodied in this report and are expected to be useful to the users of the patent system.

2. ESTABLISHMENT

The sanctioned staff strength of the Patent office, Kolkata and its branches at Mumbai, Delhi and Chennai and their actual working strength as on 31st March, 2004 is given in **Appendix – 'A'**

3. PATENT APPLICATIONS

A. FILED DIRECTLY

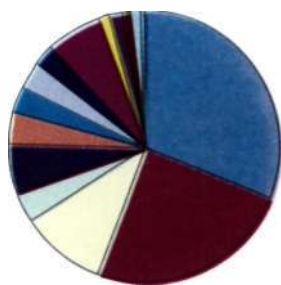
The number of applications for patents filed in 2003-2004 was 12,613 compared to 11,466 applications in 2002-2003 representing more than 9 percent increase of flow of applications.

The number of applications for patents which originated in India were 3,218 contributing approximately 25% of the total number of applications filed during the year. This figure was about 18% higher than the corresponding figure last year. A list of applications for patents received and classified according to the country and state of origin is shown in **Appendix 'B'**.

The number of applications for patents received from Indian nationals, foreigners resident in India and from abroad during the period from 1994-1995 to 2003-2004 is shown in **Appendix 'C'**. Out of the total number of applications for patents, which originated in abroad, the United States of America contributed the largest number.

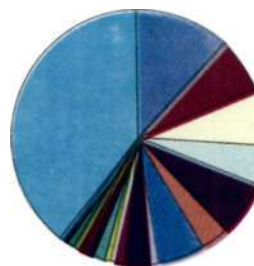
Out of the 3,218 applications, which originated in India Maharashtra accounted for the maximum applications, followed by Delhi, Tamil Nadu, Andhra Pradesh and Gujarat. The State/ Union Territory- wise break up figure is as shown in brackets. Maharashtra (921), Delhi (795), Tamil Nadu (330), Andhra Pradesh (222), Gujarat (189), Karnataka (180), West Bengal (154), Uttar Pradesh (126), Kerala (88), Haryana (45), Punjab (27), Madhya Pradesh (29), Rajasthan (28), Jharkhand (21), Assam (9), Himachal Pradesh (9), Bihar (9), Uttarakhand (8), Chandigarh (7), Goa (5), Chattisgarh (4), Orissa (3), and Union Territory of Daman (4), etc.

State/Union Territory-wise breakup of Patent Applications originated in India



[^Maharashtra
M
D Tamil Nadu
E West Bengal
^Gujarat
[j Karnataka
B Kerala
H Uttar Pradesh
^Harayana
EJ Andhra Pradesh
DMadhya Pradesh
BBihar
(^Punjab
^Rajasthan
g Orissa
o Assam
HTripura
• Himachal Pradesh
E Jammu & Kashmir
Q Chandigarh
!j Jharkhand
t^Uttarakhand
B Chattisgarh

Country-wise breakup of National Phase Applications

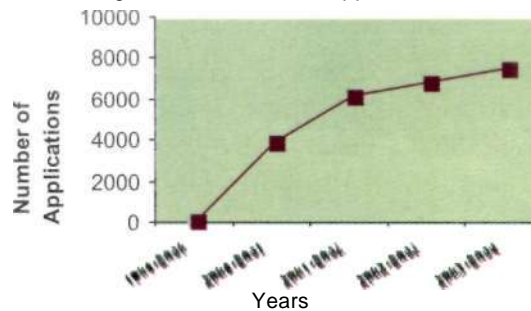


ljj Great Britain
• Japan
^France
^Netherlands
GJ Sweden
^Switzerland
GI Korea
Bj Australia
^Denmark
D Finland
S Italy
^Canada
Bj Israel
IJ Norway
Hj South Africa
HOther Countries

Number of convention applications filed was 1016, reduced by more than 50% over the last year total of 1667.

A statement showing the distribution of applications filed on Chemical, Electrical, Mechanical and General fields during the period from 1999-2000 to 2003-2004 is given in **Appendix- 'F'**.

Filing of National Phase Applications



-National Phase Applications

B. FILED AS NATIONAL PHASE THROUGH PCT INTERNATIONAL APPLICATIONS

The number of National Phase applications for patents filed during the year was 7,717. All these applications were filed by the foreign applicants [under Chapter-I and Chapter-II]. The United States of America led with the maximum number of applications followed by Germany, Great Britain and Japan. The country wise break-up figures is as shown in brackets: USA (2939), Germany (867), Japan (410), Great Britain (425), Netherlands (253), Switzerland (307), France (421), Australia (252), Sweden (206), Italy (147), Denmark (80), Republic of Korea (133), Israel (150), Canada (159), Finland (129), Norway (52), Belgium (68), Austria (44) etc.

There were 6616 applications under Mail Box category (Section 24A) before the beginning of the year. During the present year 764 applications were filed. All these 7380 applications shall be taken up for examination after the law is amended to provide for a provision for the grant of product patents on these inventions.

4. EXCLUSIVE MARKETING RIGHTS (EMR) APPLICATIONS:

Till the beginning of the year 2003-04, 8 EMR applications were filed and of these 8 EMR applications, 4 applications were refused and the rest 4 applications were carried forward to the current year. In addition 4 applications were filed during the year under review, out of these 3 EMR applications were granted and 5 are under processing at the end of the year.

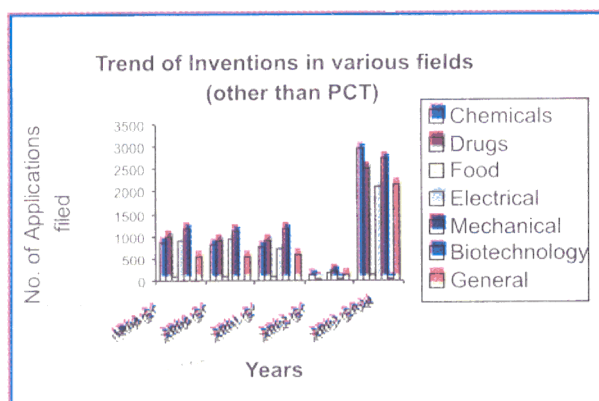
5. PCT INTERNATIONAL APPLICATIONS

The number of international applications for patents under PCT filed by nationals and/or residents of India in the receiving offices in India till 31st March 2004 was 430. Of these 102 applications were from individual persons and 328 from legal entities.

Major contributors for the said PCT international applications were CSIR, Sun Pharma, Jubilant Organosys, Torrent Pharma, Natco Pharma, Wockhardt Research, Biocon, Hetero Drugs, Lupin, Cadila, Matrix Lab.

6. TREND OF INVENTIONS

An analysis of trend of inventions during the last five years from 1999-00 to 2003-2004 in various fields of inventions indicates that number of patents filed category-wise :



CHEMICAL, DRUG, FOOD

This report pertains to the trend of inventions as filed in Patent Office in respect of chemicals, drugs (agrochemicals & pharmaceuticals), food, fine chemicals, biotechnology, polymers, catalyst dyes etc. The inventions in respect of above mentioned fields originated from abroad in far greater numbers.

CHEMICALS

Most of the inventions in this field were related to Organic and Inorganic Chemicals and various processes for preparations thereof. A good number of filings had also been made in – Food and Agriculture, Water and Waste Water treatment, Glass and Ceramics, Fertilizers, Cements / Concretes / Refractories, Petroleum and Gas, Dyes / Paint / Resins / Adhesives etc., Animal and Vegetable Oils / Fats / Waxes, Sugars & Polysaccharides, Sprits / Wine / Beers / Vinegar etc. and enzyme and related biochemistry thereof.

DRUG / PHARMACEUTICAL/ AGROCHEMICALS

In the Drug / Pharmaceutical field most of the inventions were made in the fields of – Antibiotics / Drugs formulations for different diseases (including anti-malarial drugs), Blood & Immunology, Cancer, Protein, Bio-medical and Clinical bio-chemistry, veterinary science and agrochemicals.

Indian inventors were found mostly interested in the field of Pharmaceutical Compositions/ medicaments, Natural Products as Drugs (mainly *Neem* based) as well as preparation of different organic chemicals (including Insecticides/ Pesticides). Some female inventors were also observed to have contributed in this field of inventions.

BIOTECHNOLOGY

In this field about sixty percent applications were from abroad. Trend was seen to be related to immunogen preparation, vaccine preparation, synthesis of receptor antagonist, remedies of different human diseases, separation and purification of nucleic acids and amino acids directly from cell lysates, preparation of hormones, bioinformatics, neurology, food processing, genetic engineering and recombinant DNA-drug technology. A substantial number of Indian applications had been filed by CSIR, Delhi.

MECHANICAL ENGINEERING

In Mechanical Engineering the trend of inventions had been mainly in the field of Automobile Engineering, Refrigeration & Air Conditioning, Valves, Compressors, Fasteners & Coupling devices, Turbines, Pumps and Hydraulics circuits.

In the field of Automobile Engineering inventions were mainly related to braking system, antilocking, fuel purifiers, fuel supply apparatus, fuel injection system, shock absorber, noise & vibration dampers, engine oil recycling. In the field of Refrigeration & Air conditioning inventions were in air cooler, ventilation element for coolers, temperature indicator, evaporative coolers laminated heat exchangers. Inventions related to valves were in flap valves, flow reversing valves, spool valves. Inventions related to Compressors were in rotary compressors, scroll compressors, screw compressors. Inventions related to hydraulics were in fluid diverter, oscilloscope, jacks, fluid operated torque tools etc. Inventions related to Pumps were in rotor oil pump, siphon pumping.

Other inventions in mechanical engineering were in filters, locking system, burners, furnaces, structures, rock drilling machine, fastening devices, rolling mill, strip castings mechanisms.

Inventions by the Indian inventors were mainly related to brake & clutch assembly of vehicles, sari guard cum carry box for two wheelers, fork lift, welding machine, jet nozzle regulator, energy converters, gear box assembly, generation of power from unconventional sources of energy, gas fired furnace etc.

Two inventions relating to 'A pump exerting a reduced axial thrust on the pump shaft' had been filed by a woman inventor named Ms. Damayanti Ramachandran of Coimbatore.

METALLURGY

The trend of inventions in this field could broadly be classified into the following categories:

1. Ceramic materials
2. Corrosive and wear resistant materials
3. Smelting and Refining Process of Iron and Steel
4. Electrical Steel (CrGU and CrNO)
5. High strength steel
6. Aluminium alloys
7. Recovery of metallic and non-metallic alloys
8. Processes of synthesis of Nano-materials
9. Various coating processes e.g. Plasma spraying
10. Improved Rolling Processes

Most of the applications were originated from foreign countries like USA, UK, AUSTRALIA and JAPAN. Major Indian applicants were SAIL, TISCO, and CISR. It was noted that trend was changing to modern technologies like nano-materials, and eco-friendly processes.

SWITCHGEAR & ACCESSORIES:

In this field inventions were related to method for production of electrical contacts & electrical contacts produced thereby, switch housing for an electrical switch device, method & arrangement for estimation of the wear erosion of switch contacts, lighting protection system for composite air craft, potentiometer aided orientation indication device, intelligent switch, electrical switchgear frame, system & method for measuring mechanical switching interval, protector for thermal switch installed in electromagnetic coils, an improved body for electrical / electronic switch, method of fabricating electrical contacts, spring loaded

clamp for electric conductors, solenoid valve for reduced energy consumption etc.

ELECTRICAL MACHINES:

Applications were related to permanent magnet induction synchronous motor, starter motor, bubble motor, multi core, brush seal assembly for rotor machines, magnet arrangement for rotating electrical machines, method & system for regulating the power demand by a rail motor, housing of assembly structure of stator motor, coil winding arrangement for electric machine, armature of rotating electric machine & coil winding method thereof, brake rotor, brush motor for electric power steering system, air spinning frame with reluctance motor, new design of 3-phase induction motor (850 KW) for traction application, electric motor generator set, multipolar magneto generator, wind power plant, control arrangement for wind power plant, animal driven rural portable generator super dynamo, variable speed motor, optical slipping motor, electric motor driven wheeled vehicle.

POWER SYSTEM:

In this field applications were related to method of generating power, machine to create motive power, method for increasing operational efficiency of fuel based power plant, power transmission apparatus, float type tidal energy plant, hybrid high voltage sub station, fault tolerant power system circuit, method for increasing operational efficiency of a fuel based power plant, power transmission device for vehicle, bounce reduced relay, power line protector, improved power on reset circuit, apparatus for reactive power support required by power system, high voltage break down protection device, automatic over load protection for transformer, free wheel coupling device for a spring loaded mechanism for high voltage circuit breaker, novel plug in surge arrester for high voltage sub station application etc.

LAMP & CABLE:

In this field applications included snap together automotive LED pump assembly, automatic street light controller, electrodeless lamp, electrodeless lighting system, lighting apparatus using microwave energy, apparatus for operating discharge lamp, electrodeless lighting apparatus using microwave & method for controlling power thereof, colour illuminating system & projection type image display apparatus using the same, LED signal lighting unit for railways, cable assembly & method, improved device & method for treating joint of a conductor & low loss high intensity non magnetic stainless steel wire for overhead electric conductor, over head electric conductor using the same.

BATTERY:

Trend was on battery charging system, variable voltage/current rechargeable battery system, desulphating module for lead acid battery, D.C. power source with fuel cell, electrochemical double layer storage cell, battery pack for battery operated sprayer, device for charging battery used in a torch, multiple battery watch, improved clamping & releasing device for battery leads & process for preparing the same, process for recovery of nickel & cadmium from spent nickel cadmium battery.

CONTROL SYSTEM:

The inventions in this field was process for relative location of two electrical apparatus, fibre optics control detector, time synchronizing unit for substation, radio based centralized control system for electric load, smart switch stand alone electric controller, electromagnetic protection & control assembly, phase transmitter for high current application, improved UPS circuit having hot swappable battery module, power theft detection system, single board digital controller for hybrid electric vehicle & suitable AC drive, method & arrangement for

configuring an electrical system combined multifunctional middle voltage apparatus for middle voltage electric control panel.

NON-CONVENTIONAL ENERGY:

Applications were related to wind power plant, control arrangement for wind power plant, electricity generation from under ground pumped hydro energy storage using ocean/sea water only, solar water heater & cooker, improved parabolic solar concentrator, solar water treatment plant, solar collector & power storage thermal & solar electric power generator module, miniature solar photovoltaic module & process for manufacture, wave energy for electricity generating floats, wind power installation with shadow casting regulation, gravity power plant, convergent photovoltaic energy, generation of power from non conventional source of energy, wind generation unit with high yield, device for generating electric power by explosive detonation, compact dew point generator, wind type micro wind turbine generator etc.

TELECOMMUNICATION

The inventions were mostly related to communication systems, mobile communication systems, computers, networking, interfacing, e-commerce/business method, electronic devices, recording and reproducing devices, storage devices, display devices, optical devices, coder/decoder, modulation/demodulation, transducers, medical instruments and security systems.

COMMUNICATION SYSTEM:

Inventions in this field were related to system and method for applying reciprocity for downlink interference identification, communication infrastructure arrangement for multi-user, method and apparatus for improving reception in multiple access communication system, unified distributed

architecture for a multipoint video conference and interactive broadcast systems; transmission system with high frequency stability, receiver apparatus for receiving a plurality of coded communication signals, method for producing user alerts in a wireless communication device, access to audio O/P via capture service; deployable antenna reflector, broadband antenna, side lobe microstrip antenna array.

MOBILE COMMUNICATION SYSTEM:

In this category inventions were mostly in messaging system utilizing proximate communication with portable units, message prioritization and buffering in a limited network, IP adaptation layer and background connection on cellular network, apparatus and method for controlling reverse transmission in mobile communication system; cellular phone that exposes the user's brain to much less microwave radiation, applications for mobile digital camera that distinguish features text and image information in an image, facility in mobile phone to transceive GSM and CDMA mobile companies towers at a time.

COMPUTERS:

In this category inventions were related to netless processor, drive-less hard disk, improved FFT/IFFT processor, enhancing performance of a co-processor, electronic programming guide system and method, density based distributed computing device, automatically updates central cache memory, anti-spam technologies, Tele v-mail boxes, initiate server based collaboration of E-mail attachments, automatically publishing content, classifying electronic documents, enforcing online identity consent policies ODBC compliant data base, HDL model and simulation, computation system with noiseless cooling, power up from a USB keyboard, Protocol security, synchronizing data shared among peer computing device, broadband internet connectivity system.

NETWORKING:

In this category inventions were mostly in multimedia network, wideband wireless multimedia network, synchronize and upload and offload network stack connection, tracking measurement prediction of data communication network, wireless telecommunication network, dynamically updating information related to a network, wireless local area network with a wireless telephony network, authentication of a user for sub-locations of a network location, improved client servers communications of e-mail, wireless local area network transceiver, electronic route guide with network to locate vehicle location, costs in data networks.

INTERFACING:

Dynamic wizard interface, interfacing between modem and necessary in mobile station, graphical interface for single access dispatch of electronic message, managing power in network interface modules, application centric user interface techniques, pre-processing in a common format central processing input signals or output signals for, interfaces of different type.

E-COMMERCE / BUSINESS METHOD:

In this fields the inventions were related to online shopping/buying and selling; real-time business collaboration, business driven learning solution, transaction system, electronic system and method for carrying out bank transaction, wireless payment system.

ELECTRONICS DEVICES:

The inventions in this field comprised of automatic moisture analyzer, high frequency circuit end fed, liquid level control device, intelligent microcontroller, automation of unmanned railway gate junctions in a cost effective system, digital remote control device, flight monitoring logic system, mobile charger, solution made photodiode, solution made phototransistor, on-chip analysis and

computation of transition behaviour of embedded nets in ICS, bootstrapped O/P buffer with multiple voltage compatibility at I/O interface.

RECORDING AND REPRODUCING DEVICE/STORAGE DEVICE:

Optical disc and method of recording and/or reproducing for the same, method of allocating a spare area for a disk recording and reproducing apparatus, inkjet recording apparatus, equalizer for high density optical disc recording apparatus and equalizing method thereof, actuator for optical disk system and apparatus for providing signal for driving the actuator.

DISPLAY DEVICES:

Adaptive catalog page device, novel process Si based large area patterned display device, LED arrangement and operating circuitry, LCD driver with adjustable contrast, LED signal lighting unit for railways.

OPTICAL DEVICES:

Optical parking system, optical picking apparatus, optical wave guide, contact lense, focusing method and operation, opto electronic device for angle generation, Laser based position sensor, dispersion apparatus and method, coating optical filters, optical fibre having separate colour layer, optical fibre drop cable, optical fibre cable, device producing plasma, synchronized magnification, Infrared Doppler, Periscope.

CODER / DECODER:

Inventions in this area are related to – ARY predictive coding a non-linear model for multimedia coding, novel algorithm for data compression, system and method for error correction using trellis codes, apparatus and method for generating codes in communication system, block synchronous decoding, digital decoder having so called “playback” mode of operation.

MODULATION / DEMODULATION:

Demodulation apparatus and method in a communicating system employing 8-ary PSK modulation, modulator for electromagnetic signals transmitted by contactless transmission/reception system, process and device for modulating a carrier with amplitude and phase error compensation, novel technique for PCM to DPPM conversion and encryption.

TRANSDUCERS:

Novel apparatus using an article and non-contact transducer to measure flow rate of fluids through pipelines, measurement of steam quality using capacitive transducers, directional electro acoustical transducing, digital displacement transducer.

MEDICAL INSTRUMENTS:

Controlled delivery of therapeutic agent from implantable medical devices, infrared microscope, dual use ECG monitor, a new apparatus for detecting cancer by optical analysis of blood components, anaesthesia circuit, X-ray controlling method and X-ray imaging apparatus, blood sampling device.

SECURITY SYSTEM:

Cryptographic data security, hidden link dynamic key manager, secure session management and authentication for websites, secure file transfer method and system, encryption of binary data, secure method of enhancing message.

CIVIL ENGINEERING

Inventions originating in foreign countries were basically related to building blocks and prefabricated panel, precast wall panel with connector, improved edge insulation for vacuum insulation panel, precast girder, reinforcement bars as well as reinforcement polymers, improved rail road track, fasteners and improved door locking mechanisms.

Indigenous inventions were related to composite panels reinforced connection for precast wall panel, support for underground mine roof and tunnels, improved reinforced soil retaining wall system, fly ash based sheet and fly ash based corrosion resistant cement, various types of door locks as well as relating to railway sector like molten slag bonded railway sleeper, grooved rubber plate for railway track and concrete railroad for rail base etc.

TEXTILE & PAPER TECHNOLOGY

The inventions originated from abroad were related to method and device for producing cellulose and polymer fibers, enzymatic method of textile dyeing, super absorbent cellulose fibre, button hole and programmable sewing machine, dobby ribbon loom, yarn carrier, spinning mill for flat clothing, pressure cylinder for drafting arrangement of a textile machine, fabric chamber for dyeing machine, sliver cross section measurement device, cop sensing device, various type of ring spinning machine, device for dressing card clothing.

Indian inventors had shown more interest on jute jeo textile, separating device for textile processing machine, improvement in weaving looms, filter based composite material, improved bobbin holder, slow speed high production flat carding machine.

Invention in the field of paper technology was comparatively less. Some of which was relating to paper making fabric, high strength paper and lyosol pulp coated paper etc.

MISCELLANEOUS

Foreign inventors in the field were mostly interested in improved Shoe heel, floor sweeping and surface cleaning apparatus, shower fitting holder, water ejectable umbrella and umbrellas with various accessories, rubber compatible bag, a tor plucking basket, luggage case, shaving razor, various types of tooth brushes,

rotatable chair base with detachable leg apparatus, watch case, various types of garments, improved locks.

Indian inventors were mostly interested in zipper slider assembly, knowledge building games, various type of locks, bed pan, safety valves and handle of pressure cooker, toothbrush with various features, multi-purpose LPG gas stand and cooking gas stand, cricket ball throwing machine and shock absorbing cricket bat, rain wear, shoe with ventilation system, device for cleaning teeth and massaging gum, fountain and ball pen, multipurpose chairs, floor cleaning device, various type of watches, community kitchen stove, rubber bag, LED torch light etc.

7. LEGAL PROCEEDINGS

(a) Appeals under section 116 of the Patents Act, 1970 to High Court from decisions, etc. of the Controller:

Legal Proceedings				
Cases	Pending at the beginning of the year 2002-03	Filed during the period 2002-03	Disposed off during the period 2002-03	pending at the end of the financial year
Appeals under Sec. 116	25	1	-	26
Writ Petition	23	3	4	22
Revocation	5	1	-	6
Misc. (Patent related cases)	4	-	-	4

b) Rectification of register of patents by

High Court: A second appeal preferred against the judgment disallowing the rectification of Patent No. 139978 in the year 1981-82 was still pending at the end of the year under review.

c) Miscellaneous: No suit for damages was pending at the end of the year under review.

8. REVENUE AND EXPENDITURE:

Patent Offices earned a revenue of Rs.20,60,77,372/- (including Designs Wing) during this year while the expenditure was Rs.4.70 crores.

9. MISCELLANEOUS PROCEEDINGS UNDER THE ACT

Patents sealed: The total number of patents sealed during the year was 2,469. These included 110 patents sealed on applications relating to Food, 419 to Drug or Medicine, 534 to Mechanical, 396 to Electrical, 609 to Chemical and 401 General. (Appendix 'G' may be seen).

PATENTS IN FORCE: 6,406 patents were in force on the 31st March 2004. Of these, 2,075 patents stood in the names of Indians (Appendix 'E')

The number of applications made, applications deemed to have been abandoned, applications for patents examined, complete specifications accepted and applications on which patents were sealed and other information for the years 1994-95 to 2003-2004 are given in Appendix 'E'.

Details of the number of patents granted under various fields of the invention during the period from 1999-00 to 2003-2004 are in Appendix- 'G'.

Registration of documents under section 68 and Assignments etc. under section 69: 262 applications for registration of documents under sections 68 and 69 were received during the year. Under Sec. 68, 136 applications were received while 35 applications were pending at the end of the previous year. Under Sec. 69, 116 applications were allowed while 10 applications were pending.

Under Section 115 only one person has been enrolled as a Scientific Advisor.

Direction of Controller under section 35 of the Patents Act, 1970 and consequential actions thereon:

Out of 74 applications referred to the Ministry of Defence, secrecy directions were imposed on 50 applications during this year. Secrecy was continued previously on 10 applications. Secrecy revoked on 28 applications.

Applications for registration of patent agents: During the year 193 applications were received from the members of the public for being registered as patent agents under the Patents Act, 1970. 32 candidates have passed the qualifying examination and registered themselves as patent agents. 100 applicants have been registered directly. 600 persons were allowed to continue as patent agents at the end of the year.

Inventions in the field of Atomic Energy: 2 cases were referred to the Department of Atomic Energy during the period under review and the said 2 applications were found to have attracted for atomic energy. These applications were refused.

8. GENERAL

The Scientific & Technical Libraries of the Patent Office at Kolkata and Patent Office Branches at Mumbai, Delhi and Chennai provided facilities to the public for consultation and reference work. The inventors of different research and industrial organizations and other members of the public as well as the research scholars of different universities increasingly availed of the facilities.

The Technical Library of the Patent Office, Kolkata continued to receive patent specifications of Patent Offices of United Kingdom, Australia (Microfiche) and Abstracts of United States of America, Canada, Netherlands, New Zealand, Korea, etc. and 1,613 (Indian-972, Foreign-631) Patent Office

Journals of different countries. Recently, the Patent Office Library received P.C.T. Journals & pamphlets on DVD and Official Gazettes in CD-ROMs.

About 2,500 persons visited the libraries of the Patent Office, Kolkata and the Patent Office branches at Mumbai, Chennai and New Delhi to conduct searches through the patent specifications and other publications of the Patent Office in India and abroad. The search rooms and libraries of these offices provided access to scientific & technical books and journals.

In order to provide more information to users, the Patent Office acquired 894 books on various topics of Science and Technology.

A good number of communications were received by the Patent Office, Kolkata and its branch offices at Mumbai, Chennai and New Delhi from individual entrepreneurs, educational institutions, research organizations and industrial undertakings inquiring about the procedure for applying for patents and other allied matters. Details of the accepted specifications were furnished as usual to the Government departments upon request. Particulars regarding patent specifications accepted were supplied to international bodies such as International Patent Documentation Center and World Intellectual Property Organization.

During the year under report 62,425 letters, applications etc. were received in the Patent Office, Kolkata and its branch offices at Mumbai, Chennai and New Delhi and 87,234 letters, etc., were dispatched from the offices.

(S. CHANDRASEKARAN)
Controller General of Patents,
Designs and Trade Marks

Dated :
19th October 2004

STATEMENT OF STAFF STRENGTH AS ON 31ST MARCH, 2004

APPENDIX "A"

Sl. No	NAME OF AND POST	CATEGORY	SANCTIONED STRENGTH (REGULAR)						WORKING STRENGTH (REGULAR)						POSTS UNDER MODERNIZATION PROJECT									
			CAL		MUM		CHE		DEL		TOT		CAL		MUM		CHE		DEL		TOT			
1.	Sr. Joint Controller of Patents & Designs	Group A	1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-		
2.	Joint Controller of Patents & Designs	Group A	1	-	1	1	3	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-		
3.	Deputy Controller of Patents & Designs	Group A	2	1	1	2	6	2	-	2	2	2	4	1	-	-	-	-	-	1	-	1		
4.	Assistant Controller of Patents & Designs	Group A	4	2	3	4	13	4	2	3	4	13	3	5	4	4	4	4	4	16	2	5	4	15
5.	Examiner of Patents & Designs	Group A	15	6	10	13	44	4	4	4	5	17	46	18	44	47	155	46	27	44	38	155		
	Total	Total	23	9	15	20	67	11	6	7	12	36	50	49	48	64	172	49	32	48	42	171		
1.	Hindi Officer	Group B	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
2.	Senior Librarian	Group B	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
3.	Admin. Officer.	Group B	1	1	1	1	4	1	1	1	1	4	-	-	-	-	-	-	-	-	-	-	-	
	Total	Total	3	1	1	1	6	3	1	1	1	6	-	-	-	-	-	-	-	-	-	-	-	

STATEMENT OF STAFF STRENGTH AS ON 31ST MARCH, 2004

APPENDIX "A"

Sl. No.	NAME OF AND POST	CATEGORY	SANCTIONED STRENGTH (REGULAR)						WORKING STRENGTH (REGULAR)						POSTS UNDER MODERNIZATION PROJECT							
			SANCTIONED STRENGTH (REGULAR)			WORKING STRENGTH (REGULAR)			SANCTIONED STRENGTH			WORKING STRENGTH			SANCTIONED STRENGTH			WORKING STRENGTH				
			CAL	MUM	CHE	DEL	TOT	CAL	MUM	CHE	DEL	TOT	CAL	MUM	CHE	DEL	TOT	CAL	MUM	CHE	DEL	TOT
1.	Superintendent	Group B (Non-Gazetted)	8	2	2	2	14	7	3	2	2	14	-	-	-	-	-	-	-	-	-	
2.	Library Information Assistant	Group B (Non-Gazetted)	2	1	1	1	5	1	1	1	1	4	-	-	-	-	-	-	-	-	-	
3.	Hindi Translator	Group C	2	1	1	1	5	2	1	1	1	5	-	-	-	-	-	-	-	-	-	
4.	Photography Assistant	Group C	1	1	-	1	3	1	1	-	1	3	-	-	-	-	-	-	-	-	-	
5.	Assistant	Group C	9	7	5	5	26	9	7	5	5	26	4	-	4	6	14	9	-	-	5	14
6.	Upper Division Clerk	Group C	32	6	4	5	47	32	2	3	3	40	3	-	3	4	10	8	1	-	1	10
7.	Senior Steno-grapher	Group C	4	3	1	2	10	4	3	1	2	10	-	-	-	-	-	-	-	-	-	-
8.	Junior Steno-grapher	Group C	2	1	1	2	6	1	-	1	-	2	-	-	-	-	-	-	-	-	-	-
9.	Lower Division Clerk	Group C	36	7	8	11	62	18	11	7	9	45	2	-	2	4	8	2	-	2	4	8
10.	Hindi Typist	Group C	1	1	1	-	3	1	1	-	-	2	-	-	-	-	-	-	-	-	-	-
	Total		97	30	24	30	181	76	30	21	24	151	9	-	9	14	32	19	1	2	10	32

STATEMENT OF STAFF STRENGTH AS ON 31ST MARCH, 2004

APPENDIX "A"

Sl. No.	NAME OF AND POST	CATEGORY	SANCTIONED STRENGTH (REGULAR)					WORKING STRENGTH (REGULAR)					POSTS UNDER MODERNIZATION PROJECT												
			CAL	MUM	CHE	DEL	TOT	CAL	MUM	CHE	DEL	TOT	SANCTIONED STRENGTH			WORKING STRENGTH									
													CAL	MUM	CHE	DEL	TOT	CAL	MUM	CHE	DEL	TOT			
1.	Record Keeper	Group D	1	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
2.	Duftry	Group D	13	2	1	3	19	13	2	1	3	19	1	-	1	-	1	-	-	-	-	-	-	-	-
3.	Peon/ Messenger	Group D	24	4	3	4	35	24	4	3	3	34	2	-	2	-	2	-	-	-	-	-	-	-	-
4.	Farash	Group D	4	-	-	-	4	2	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
5.	Durwan	Group D	2	-	-	-	2	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
6.	Mali	Group D	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
7.	Chowkidar	Group D	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
8.	Watchman- Cum- Durwan	Group D	-	1	1	1	3	-	1	1	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-
9.	Safaiwala	Group D	3	-	-	-	3	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
10.	Safaiwala- Cum- Farash	Group D	-	2	1	1	4	-	2	1	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total		49	9	6	9	73	44	9	6	8	67	3	-	3	-	3	-	4	10	3	-	3	-	6

**APPLICATION FOR PATENTS FILED IN
THE YEAR 2003-04 AS AGAINST 2002-03
CLASSIFIED ACCORDING TO COUNTRY / STATE OF ORIGIN**

Country/State/ Union Territory	Number of Applications				Number of Convention Applications filed under section 135 of the Act		Application for Patents of addition filed	
	2003-04		2002-03		2003-04	2002-03	2003-04	2002-03
	Normal Filing	National Phase Application	Normal Filing	National Phase Application	Normal Filing	National Phase Application	Normal Filing	National Phase Application
1	2	3	4	5	6	7	8	9
Maharashtra	921		681	150	8	136		
Delhi	795		726	-	-			
Tamil Nadu	330		290	-	-			
West Bengal	154		116	-	-			
Gujarat	189		161	1	-			
Karnataka	180		118	-	-			
Kerala	88		85	-	-			
Uttar Pradesh	126		103	-	-			
Haryana	45		75	-	-			
Andhra Pradesh	222		196	-	-			
Madhya Pradesh	29		30	-	1			
Bihar	09		02	-	-			
Punjab	27		46	-	-			
Rajasthan	28		13	-	-			
Orissa	03		01	-	-			
Assam	09		08	-	-			
Goa	05		-	-	-			
Tripura	02		02	-	-			
Himachal Pradesh	09		04	-	-			
Jammu & Kashmir	03		01	-	-			
Chandigarh	07		05	-	-			
Jharkhand	21		32	-	-			
Meghalaya	-		-	-	-			
Uttarakhand	08		03	-	-			
Union Territory Daman	04		-	-	-			
Chattisgarh	04		05	-	-			
TOTAL	3218		2693	151	9	136		

COMMON WEALTH COUNTRY

1	2	3	4	5	6	7	8	9
*United Kingdom	13	425	36	355	19	57		
*Australia	07	252	10	166	11	10		
*Canada	02	159	12	63	04	11		
*Ireland	-	12	03	05	01	1		
*Sri Lanka	-	-	-	-	-	-		
*New Zealand	01	12	-	12	-	-		
TOTAL	23	840	61	601	35	79		

AMERICA

1	2	3	4	5	6	7	8	9
*U.S.A.	226	2939	456	1960	435	619		
*Mexico	-	01	-	02	-	-		
*Venezuela	01	-	01	-	02	01		
*Brazil	06	11	04	10	06	04		
*Argentina	04	-	01	03	01	-		
West Indies	01	01	-	01	-	01		
Panama	-	-	-	-	-	-		
Uruguay	-	-	-	-	-	-		
B.V. Island	-	20	-	07	01	-		
Burmuda	-	03	-	-	-	02		
Barbados	-	05	-	-	-	-		
Bahamas	-	04	-	03	-	-		
Cuba	-	13	-	-	-	-		
Costarica	-	4	-	-	-	-		
Belize	-	1	-	-	-	-		
TOTAL	238	2965	462	1986	445	626		

EUROPE

1	2	3	4	5	6	7	8	9
*Greece	-	03	-	07	-	50		
Germany	92	867	242	615	104	190		
*France	15	441	61	238	27	102		
*Switzerland	34	327	111	307	29	32		
*Sweden	02	206	03	163	02	73		
Russia	-	20	02	09	-	25		
*Netherlands	11	253	37	354	05	16		
*Italy	20	147	31	87	14	02		
*Hungary	-	13	-	06	-	19		
*Austria	06	44	07	29	03	08		
*Belgium	01	68	02	31	-	04		
*Denmark	03	80	07	81	04	10		
Luxembourg	04	28	-	13	-	08		
yugoslavia	01	04	-	-	-	-		
Norway	-	52	-	81	-	04		
Spain	03	51	03	18	-	07		
Finland	03	129	04	49	13	39		
Liechtenstein	01	07	01	20	02	01		
Iceland	01	01	-	01	-	01		
Portugal	-	02	-	01	-	-		

Bulgaria	-	-	-	-	-	-	-	-
Sierra Leone	-	-	-	-	-	-	-	-
Cyprus	02	05	10	03	-	02	-	-
Rome	-	-	-	-	-	-	-	-
Channel Island	-	01	-	-	-	-	-	-
Caymen Island	-	-	-	02	-	-	-	-
EP Countries	-	02	-	23	-	01	-	-
Turkey	-	04	-	02	-	01	-	-
Czech Republic	-	03	-	03	-	01	-	-
Poland	02	06	01	01	02	01	-	-
Estonia	-	04	-	-	-	01	-	-
Latvia	-	01	-	-	-	01	-	-
Romania	-	01	-	-	-	01	-	-
Malta	-	02	-	-	-	02	-	-
Slovenia	-	03	-	03	-	-	-	-
Slovakia	-	05	-	01	-	-	-	-
Monaco	-	01	-	-	-	-	-	-
Ukraine	-	-	-	01	-	-	-	-
Lithuania	-	-	-	01	-	-	-	-
Armenia	-	-	-	01	-	-	-	-
International Bureau	-	01	-	-	-	-	-	-
TOTAL	201	2722	522	2143	205	602		

AFRICA

1	2	3	4	5	6	7	8	9
South Africa	04	26	02	44	02	02		
Swaziland	-	66	-	03	-	-		
Mauritius	-	-	-	01	-	-		
Tanzam	-	-	-	-	-	-		
Total	04	92	02	48	02	02		

ASIA

1	2	3	4	5	6	7	8	9
Japan	94	410	323	378	238	242		
Republic of China	21	70	33	20	08	17		
Korea	14	133	94	52	50	10		
Israel	04	150	09	67	04	15		
Taiwan	23	02	53	03	10	07		
Hong Kong	02	03	01	05	01	01		
U.A.E.	-	02	-	-	-	-		
Thailand	04	-	01	01	01	-		
Malaysia	04	01	06	01	04	03		
Singapore	02	15	01	11	-	03		
Philippines	-	03	-	-	-	-		

Chinese Taipei	-	-	-	-	-	-		
Kazakhstan	-	01	-	-	-	-		
Pakistan	-	-	-	26	-	-		
India	-	186	-	12	04	55		
Croatia	-	03	-	05	-	01		
Uzbekistan	-	-	-	12	-	-		
Egypt	01	-	-	-	-	-		
Mali	-	-	-	-	-	-		
Saudi Arabia	02	-	01	-	-	02		
Indonesia	-	01	-	-	-	01		
Kuwait	-	-	-	-	-	-		
Nepal	-	-	001	-01	-	-		
Bangladesh	-	01	-	-	-	01		
TOTAL	170	961	523	594	320	358		
GRAND TOTAL	3850	7717	1570	5372	1016	1667		

APPENDIX - "C"

**TABLE SHOWING THE NUMBER OF APPLICATIONS FOR PATENTS
FROM APPLICANTS FROM INDIA AND ABROAD YEAR-WISE
FROM 1994-95 TO 2003-2004**

Applicants	1994-1995	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
1	2	3	4	5	6	7	8	9	10	11
Indians	1741	1606	1661	1926	2247	2206	2179	2371	2693	3218
Foreigners Resident in India	-	-	-	-	-	-	-	-	-	-
Foreigners Resident in abroad	3589	5430	6901	8229	6707	2349	2160	1870	1723	1678
SUB.TOTAL	5330	7036	8562	10155	8954	4555	4339	4241	4417	4896
National Phase Application Under PCT	-	-	-	-	-	269	4164	6351	7049	7717
GRAND TOTAL	5330	7036	8562	10155	8954	4824	8503	10592	11466	12613

**PATENT FEES RECEIVED DURING 2003-2004
IN RESPECT OF THE PROCEEDINGS UNDER
THE PATENTS ACT AND RULES**

Description Of Documents etc.	No. of Cases	Total Amount Received (Rs.)
1.	2.	3.
Application for Patents- U/S 5(2), 7, 54 or 135.		
(1) Provisional		
<u>Old</u>		
Individual	70	1,05,000
Legal entity	87	4,35,000
<u>New</u>		
Individual	479	3,59,250
Legal entity	715	21,45,000
(2) Complete		
<u>Old</u>		
Individual	119	1,78,500
Legal entity	350	17,50,000
<u>New</u>		
Individual	718	5,38,500
Legal entity	2348	70,44,000
Conversion from individual to legal entity *****	1	2,250
(3) Filing of Complete Specification after Provisional		
<u>Old</u>		
<u>New</u>		
Individual		
Legal entity		
(4) Additional fees for filing conventional application under Provision to Sec 135(2)		
<u>Old</u>		
Individual	4	6,000
Legal entity	81	4,75,000
<u>New</u>		
Individual	50	7,65,000
Legal entity	948	29,66,000
(5) On request for extension of time U/S 9(1), 21(2), 25(1), 28(4), 43(3) or 53(3) and rules 14(5), 24, 34(1), 48, 56(3) or 115. U/R. 38, 43 U/R 38,43		
<u>Old</u>		
<u>New</u>		
Individual	622	3,67,750
Legal entity	5324	1,24,74,500

(6) On application for Post dating <u>Old</u> <u>New</u> Individual Legal entity	4 13	2,000 26,000
(7) On application for deletion of reference U/S 19(2) <u>Old</u> <u>New</u> Individual Legal entity		
8(I) On claim U/s 20(1) <u>Old</u> <u>New</u> Individual Legal entity	6 730	3,000 14,60,000
8(II) On request for direction U/S 20(4) or 20(5) <u>Old</u> <u>New</u> Individual Legal entity	1 101	500 2,02,000
(9) On request for Postponement of Acceptance of Complete specification U/S 22 <u>Old</u> <u>New</u> Individual Legal entity	1	2,000
(10) On notice of opposition to grant of Patent <u>Old</u> <u>New</u> Individual Legal entity	4 74	6,000 3,70,000
(11) On giving notice that hearing before Controller will be attended <u>Old</u> <u>New</u> Individual Legal entity	3 20	4,500 1,00,000
(12) On application U/S28(2), 28(3), 28(7) <u>Old</u> <u>New</u> Individual Legal entity	2 49	1,000 98,000
(13) On request for sealing of a Patent U/S43 <u>Old</u> <u>New</u> Individual Legal entity	246 2093	3,69,000 1,04,65,000

(14) On application U/S44 for amendment of Patent <u>Old</u> <u>New</u> Individual Legal entity	1	5,000
(15) On application for directions U/S51(1) or 51(2) <u>Old</u> <u>New</u> Individual Legal entity		
(16) On request for grant of a Patent U/S 52(2) <u>Old</u> <u>New</u> Individual Legal entity		
(17) On request for Converting a Patent of addition to an independent Patent U/S 55(1) <u>Old</u> <u>New</u> Individual Legal entity		
(18) For renewal of a Patent U/S 53. (i) Before the expiration of the 2 nd Year from the date of Patent in respect of 3 rd Year- <u>(a) Old*</u> <u>(b) Old</u> <u>New</u> Individual Legal entity	124 1230	74,400 39,36,000
(ii) Before the expiration of the 3 rd Year from the date of Patent in respect of 4 th Year- <u>(a) Old* -</u> <u>(b) Old -</u> <u>New</u> Individual Legal entity	123 1238	73,800 39,61,600
(iii) Before the expiration of the 4 th Year from the date of Patent in respect of 5 th Year- <u>(a) Old* -</u> <u>(b) Old -</u> <u>New</u> Individual Legal entity	129 1230	77,400 39,36,000
(iv) Before the expiration of the 5 th Year from the date of Patent in respect of 6 th Year- <u>(a) Old* -</u> <u>(b) Old -</u>		

<u>New</u>			
	Individual	118	70,800
	Legal entity	1251	40,03,200
	(v) Before the expiration of the 6th Year from the date of Patent in respect of 7th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	111	1,66,500
	Legal entity	1345	60,52,500
	(vi) Before the expiration of the 7th Year from the date of Patent in respect of 8th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	102	1,53,000
	Legal entity	1163	52,33,500
	(vii) Before the expiration of the 8th Year from the date of Patent in respect of 9th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	103	1,54,500
	Legal entity	1231	55,39,500
	(viii) Before the expiration of the 9th Year from the date of Patent in respect of 10th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	90	1,35,000
	Legal entity	1126	50,67,000
	(ix) Before the expiration of the 10th Year from the date of Patent in respect of 11th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	72	2,87,000
	Legal entity	968	96,80,000
	(x) Before the expiration of the 11th Year from the date of Patent in respect of 12th Year-		
	(a) Old* -		
	(b) Old -		
<u>New</u>			
	Individual	52	1,82,000
	Legal entity	747	74,70,000

(xi) Before the expiration of the 12 th Year from the date of Patent in respect of 13 th Year-		
(a) Old* -		
(b) Old -		
<u>New</u>		
Individual	41	1,43,5000
Legal entity	629	62,90,000
(xii) Before the expiration of the 13 th Year from the date of Patent in respect of 14 th Year-		
(a) Old* -		
(b) Old -		
<u>New</u>		
Individual	39	1,36,500
Legal entity	636	63,60,000
(xiii) Before the expiration of the 14 th year from the date of patent in respect of 15 th year		
(a) <u>New</u>		
Individual	39,	1,36,500
Legal entity	429	42,90,000
(xiv) Before the expiration of the 15 th year from the date of patent in respect of 16 th year		
(a) <u>New</u>		
Individual	4	20,000
Legal entity	3	45,000
(xv) Before the expiration of the 16 th year from the date of patent in respect of 17 th year		
(a) <u>New</u>		
Individual	4	20,000
Legal entity	2	30,000
(xvi) Before the expiration of the 17 th year from the date of patent in respect of 18 th year		
(a) <u>New</u>		
Individual	4	20,000
Legal entity	2	30,000
(xvii) Before the expiration of the 18 th year from the date of patent in respect of 19 th year		
(a) <u>New</u>		
Individual	4	20,000
Legal entity	2	30,000
(xviii) Before the expiration of the 19 th year from the date of patent in respect of 20 th year		
(a) <u>New</u>		
Individual	4	20,000
Legal entity	2	30,000

(19) On application for amendment of application for Patent/ Complete specification U/S 57.		
<u>New</u>		
Individual		
a) Before acceptance	118	82,600
(b) After acceptance	14	14,000
Legal entity		
(a) Before acceptance	1646	41,15,000
(b) After acceptance	37	2,22,000
Amendment for changing Name/address/nationality/address for service		
Individual	128	25,600
Legal entity	1139	56,95,000
(20) On notice of opposition to an application U/S 57, 60, 92(2) 93(5) or to surrender a patent U/S 63 or to a request U/S 78(5) or section 93(5) as modified by Section 24C.		
<u>Old</u>		
<u>New</u>		
Individual	1	1,500
Legal entity		
(21) On application for restoration of a Patent under Section 60		
<u>Old</u>		
<u>New</u>		
Individual	11	16,500
Legal entity	18	90,000
(22) Additional fee for restoration		
<u>Old</u>		
<u>New</u>		
Individual	13	39,000
Legal entity	18	1,80,000
(23) On notification of offer to surrender a Patent under Section 63		
<u>Old</u>		
<u>New</u>		
Individual		
Legal entity		
(24) Application for registration of a document in the register of Patent under Section 68		
<u>Old</u>		
(a) In respect of one Patent	1	700
(b) For each additional Patent	11	33,000
<u>New</u>		
In respect of each Patent		
Individual		
Legal entity	124	3,72,000

(25) On application for the entry in the register of Patent of the name of a person entitled to a Patent or as a share or as a mortgage or licensee or as otherwise or for a entry in the Register of Patents of notification of a document under Sections 69(1) or 69(2) and rule <u>New</u> In respect of each patent. Individual Legal entity	2	1,400
	124	3,72,000
(26) On application for alteration of an entry in the register of Patents or Register of Patent Agents under rule 78(1) or rule 103 <u>Old</u> <u>New</u> Individual Legal entity	34	6,900
	136	69,000
(27) On request for entry of an additional address for service in the register of Patents under rule 78(3) <u>Old</u> <u>New</u> Individual Legal entity		
	3	7,500
(28) On application for Compulsory License under Sections 84(1), 97(1) and Sections 84(1) and 97(1). <u>Old</u> <u>New</u> Individual Legal entity		
(29) On request for Examination of application for Patent under section 11(B) Individual Legal entity	2021	20,21,000
	10341	3,10,23,000
(30) On application for revocation of a Patent under Section 89(1) and Section 89(1). <u>Old</u> <u>New</u> Individual Legal entity		
(31) On application for settlement of terms of License or for revision of terms and condition of License under Section 88(2) or 93(5) and Section 93(5). <u>Old</u> <u>New</u> Individual Legal entity		

(32) On application for permission of working of a patented invention under Section 88(4). <u>Old</u> <u>New</u> Individual Legal entity		
(33) On application for registration as a Patent agent under rules 94 or 97 <u>Old</u> <u>New</u>	193	1,30,000
(34) On request for appearing in the qualifying examination under rule 95. <u>New</u>	105	21,000
(35) For registration of a person as a Patent Agent under rule 94 or 97 <u>Old</u> <u>New</u> Balance Fees	148	1,77,000
(36) For continuance of the name of a person in the register of Patent Agent, for 1 st year and every year thereafter <u>Old</u> <u>New</u>	594	3,92,500
(37) On application for restoration of the name of a person in the Register of Patent Agents under rule 102. <u>New</u> (Additional continuation fee under entry number 36)		
(38) On request for correction of clerical error Under Section 78(1) <u>Old</u> <u>New</u> Individual Legal entity	12 29	5,500 43,500
(39) On application for review or setting aside the decisions/ order of the Controller Under Section 77(1)(f) or 77(1)(g) <u>Old</u> <u>New</u> Individual Legal entity	1 4	700 10,000
(40) On application for duplicate Patent Under Section 154. <u>Old</u> <u>New</u> Individual Legal entity	2 1	2,000 3,000

(41) On request for certified copies Under Section 72 or for certificate Under Section 147. <u>Old</u> <u>New</u> Individual Legal entity	51 938	35,700 23,32,500
(42) For certifying office copies, MSS or printed each. <u>Old</u> <u>New</u> Individual Legal entity		
(43) On request for inspection of register Under Section 72 <u>Old</u> <u>New</u> Individual Legal entity	523 42	1,04,600 21,000
(44) On request for information Under Section 153 <u>Old</u> <u>New</u> Individual Legal entity	7 16	2,100 16,000
(45) On Petition not otherwise Provided for U/R 123, 124, 138(2), 138(1) <u>Old</u> <u>New</u> Individual Legal entity	210 3282	2,10,000 98,46,000
(46) For supplying of Xerox copies of the documents Per Page. <u>Old</u> <u>New</u>	26001 7901	1,10,392 44,162
(47) Transmittal fee for International Application. <u>Old</u> <u>New</u> Individual Legal entity	79 381	1,18,500 19,05,000
(48) For preparation of certified copy of Priority document and for transmission of the same to the International Bureau. <u>Old</u> <u>New</u> Individual Legal entity	60 83	45,000 5,76,000

(49) National fee in respect of National Phase Application.		
Old		
Individual	52	78,000
Legal entity	743	37,15,000
New		
Individual	401	3,07,500
Legal entity	6531	2,01,33,000
(49) (I) National fee in respect of National Phase application with priority.	1244	56,19,500
(50) On request for grant of exclusive marketing right U/S 24B.		
Individual		
Legal entity	4	3,00,000
(51) On application for compulsory license under rule 33-1		
Individual		
Legal entity		
(52) On application for revocation of exclusive marketing right under rule 33-1		
Individual		
Legal entity		
(53) On notice of opposition to application under rule 33K or rule 33N.		
Individual		
Legal entity		
(54) On application for revision of terms and conditions of License under rule 33M.		
Individual		
Legal entity		
(55) On request for inspection of Register of exclusive marketing right		
Individual	31	6,200
Legal entity	41	20,500
(56) On request for supply of Certified copy of the entry in the Register of exclusive marketing right.		
Individual	6	4,200
Legal entity	3	7,500
(57) Supply of Printed Specification	766	22,980
(58) Sale of Patent Manual	6	3,000
(59) Excess Fees received		1,75,582
(60) Gazette of India		2,43,775
(61) Miscellaneous receipts		2,07,976
TOTAL		20,07,76,217

APPENDIX - "E"

STATEMENT GIVING MISCELLANEOUS INFORMATION
RELATING TO PATENT APPLICATIONS FILED DURING THE
PERIOD FROM 1994-95 TO 2003-2004

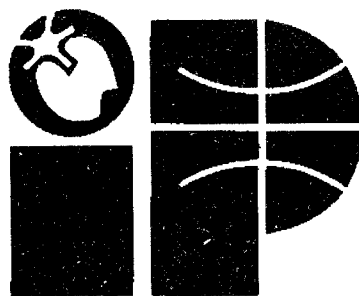
Year	No. of Applications filed	Total No. of requests made for examination	No. of applications examined	No. of requests carried forward to Next year	No. of Applications deemed to have been abandoned due to non-filing of complete specification Sec. 9(1)	Total No. of complete specifications notified as accepted during and year	No. of Applications deemed to have been abandoned due to non acceptance of complete specification Sec. 21(1)	NO. OF PATENTS SEALED		NO. OF PATENTS IN FORCE	
								Indian	Foreign	Indian	Foreign
1	2	3	4	5	6	7	8	9	10	11	12
1994-1995	5330		2745		130	1590	765	476	1283	1923	7052
1995-1996	7036		2862		204	1400	972	415	1118	2098	6694
1996-1997	8562		3042		375	2049	675	293	614	2003	7202
1997-1998	10155		2688		59	2580	803	619	1225	2047	6882
1998-1999	8954		2931		820	1600	804	645	1155	2088	6691
1999-2000	4824		2824		262	1310	1954	557	1324	2200	6458
2000-2001	8503		4264		89	1950	460	399	919	1495	6530
2001-2002	10592		5104		325	1669	1031	654	937	1578	6742
2002-2003	11466		9538		290	2780	1633	494	885	1479	6519
2003-2004	12613	12362	10709	1850	933	2805	1695	1078	1391	2075	4331

APPENDIX - "F"
**NUMBER OF PATENT APPLICATIONS FILED DURING LAST FIVE YEARS
 FROM 1999-00 TO 2003-2004 UNDER VARIOUS FIELDS
 OF INVENTIONS (OTHER THAN PCT NATIONAL PHASE)**

Year	Chemical	Drug	Food	Electrical	Mechanical	Biotechnology	General	Total
1999-2000	840	1,000	107	877	1,187	9	544	4,555
2000-2001	787	883	96	921	1,106	4	546	4,339
2001-2002	778	879	110	731	1,174	2	569	4,241
2002-2003	776	966	119	690	1,257	46	562	4,416
2003-2004	2952	2525	123	2125	2717	23	2148	12613

APPENDIX - "G"
**NUMBER OF PATENTS GRANTED DURING LAST FIVE YEARS
 FROM 1999-00 TO 2003-2004 UNDER VARIOUS FIELDS OF INVENTIONS**

Year	Chemical	Drug	Food	Electrical	Mechanical	General	Total
1999-2000	516	307	250	147	569	92	1,881
2000-2001	353	276	72	142	254	221	1,318
2001-2002	483	320	36	139	311	302	1,591
2002-2003	399	312	67	118	228	255	1,379
2003-2004	609	419	110	396	539	401	2469



**INTELLECTUAL
PROPERTY INDIA**

**PATENTS/DESIGNS/TRADE MARKS
GEOGRAPHICAL INDICATIONS**

Annual Report on the Administration of Designs Act, 2000

Contents

Introduction	-	47
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Revenue	-	51
 Appendices:		
A. Design fees received during 2003-2004	-	52
B. Trend of applications filed and registered	-	53
C. Trend of applications filed and registered by origin	-	53



ANNUAL REPORT 2002-2003 UNDER THE DESIGNS ACT, 2000

INTRODUCTION:

The Designs Act, 2000 is administered through the Design wing of the Patent Office Kolkata under the Office of the Controller General of Patents, Designs and Trade Marks.

The Designs Act, 2000 provides for the registration and protection of industrial designs as an element of intellectual property rights. These include extension of copyright duration of the existing registered designs and miscellaneous post-registration work. It recognizes activities, which are the creation of features of new shape, configurations, including surface pattern, ornamentations & composition of lines & colors applied to articles to enhance their visual appeal.

The Designs Act, 2000 which was passed by the Parliament replaced the Act of 1911.

The Design Wing of the Patent Office undertook a major modernization initiative for comprehensive computerization of working process in order to make user friendly system in the field of IPR administration in the year under review. A comprehensive database management system of the registered design is being made by C-DAC, a nodal agencies for computerization, for effective search system to be used by the Examiners.

1. Provides for extension of copyright duration of the existing registered designs.
2. Applies the court's jurisdiction to the Controller.
3. Introduces provision for publication of designs by the Controller, if such designs are not published by the designer.
4. Provides for identification of prior art designs.
5. Provides for substitution of applicant and re-issuance of a design.
6. Substitutes Indian classification by international followed system of classification.
7. Provides for inclusion of a register maintained by computer as a Register of designs.
8. Provides for restoration of lapsed designs.
9. Provides for appeal against order of the Controller before the High Court instead of Central Government.
10. Revokes the period of secrecy of two years of a registered design.
11. Provides for compulsory registration of any document for transfer of right in the registered design.
12. Permits introduction of additional grounds in cancellation proceedings and provides for initiation of cancellation proceedings before the Controller in place of High Court.
13. Enhances quantum of penalty imposed for infringement of registered design.
14. Provides for grounds of cancellation for defence in infringement proceedings to be initiated in any court not below the court of the District Judge.
15. Enhances initial period of registration from 5 to 10 years, to be followed by a further extension for a period of five years.
16. Provides for allowing priority to other convention countries and countries belonging to a group of countries or inter-governmental organizations apart from United Kingdom and other Commonwealth countries.
17. Provides for avoidance of certain restrictive conditions for the control of anti-competitive practices in contractual licences.

A modernization project relating to the administrative set up was initiated. It also involved the re-engineering of work processes. The Design Wing of the Patent Office has now been re-located on one floor of the office and a revamped, modernized work environment has now been created.

The said modernization project estimated at Rs. 1.41 crores was sanctioned to cover activities relating to infrastructure upgradation, creation of a digital CD-ROM based design library, integration of information technology in the work processes and the taking up of awareness generation and human resources development initiatives. The technical assistance of the World Intellectual Property Organization (WIPO), Geneva was also obtained in this initiative.

Initial training of officials of the Designs Office in the use of computers and computer-based processes was also undertaken as part of the first phase of HRD. System Requirement Study for IT application was initiated during the period under review. C-DAC has been entrusted under the modernization of Patent Office for the same. A front office software has already been installed to provide the auto generated application number as soon as the design application is filed in the office.

Modernization Project

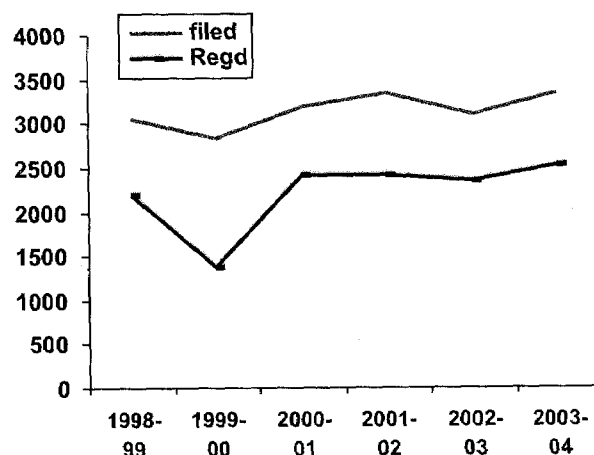
Objectives

- Computerization and net-working
- Infrastructure support
- Support for Human resource development
- Public search and dissemination services

Deliverables

- (i) computerized database and search facilities
- (ii) transition from a paper based record system to a digitized CD ROM system
- (iii) reduction of time of formality and substantive examination and registration of designs
- (iv) maintenance of a computerized Design Register
- (v) computerized work processes including renewal etc.
- (vi) Revamped public utility services (Automated Design Search System)
- (vii) Upgraded work environment
- (viii) HRD
- (ix) Computerized Management

In order to generate awareness about Design related Intellectual Property Rights, a public information programme was taken up and the officers were sent in different workshops / Symposia organized by different agencies

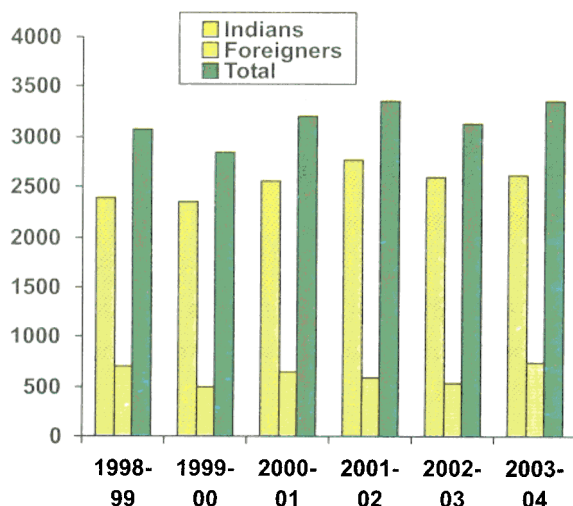


Information brochures were also prepared in collaboration with the National Institute of Designs, Ahmedabad.



APPLICATIONS FILED & DESIGNS REGISTERED

The number of applications for registration of designs filed during the year increased from 3124 in the previous year to 3357. 2619 applications were filed by the applicants in India while the remaining 738 applications were originated abroad. During the year 102 applications were filed for the registration of textile designs.



In the case of applications originating abroad, 167 applications were received from U.S.A., 145 from Japan, 86 from U.K., 68 from Germany, 43 from Italy, 33 from Netherlands, 32 from Korea, 30 from France, 20 each from Turkey & Switzerland, 14 from Thailand, 13 from Brazil, 10 from Israel, 8 each from Australia, Taiwan, Belgium, 7 from Srilanka, 6 from Sweden, 4 from Spain, 2 each from Finland, Bulgaria, Slovenia, Saudi Arabia & Hong Kong. 1 each from Bahamas, Austria, Russia, Norway, Singapore & South Africa. There were 145 applications claiming priority under the reciprocal arrangements between India and other convention countries.

3255 applications were filed for the registration of non-textile designs in 2003-2004. Applications originating in India were 2525 while the remaining 730 applications were filed by overseas applicants in respect of non-textile designs. Applications for registration of designs in the non-textile filed related mostly to commercial, industrial and domestic articles.

EXAMINATION OF DESIGN APPLICATIONS

All the applications filed during the period under report, alongwith 306 pending brought forward from the previous year were taken up for examination during the year. 176 applications were abandoned and refused for registration under the Designs Rules. The number of designs registered in 2003-2004 were 2547 including applications filed in 2002-2003. Of the designs registered, 2004 applications originated in India and the remaining 543 received from abroad. A total of 129 applications remained pending at the end of the year which were filed in the last part of March'2004.

MISCELLANEOUS PROCEEDINGS

526 applications for extension of copyright in registered designs were received during the year. 16 cases remained pending at the end of the year under review.

During the year 9 applications for restoration of copyright were filed during the year.

35 requests for furnishing information regarding existence of copyright in designs were received by the office. The Designs Wing also processed 24 requests, which were accompanied by representations of article in order to identify the existence of similar registered designs. All the cases were disposed off.

The number of registered designs in force at the end of the year was 32,494 of which 28,879 designs were registered in the names of Indians.

Applications for the cancellation of the registration of 82 designs were made during the year while 65 applications were pending at the end of the previous year. 63 applications out of these 147 cases were disposed of during the year.

4 applications were received during the year for notice of intended exhibition of publication of unregistered design. All the cases were disposed off.

73 hearings were held in respect of the registration of designs under the Designs Act, 2000 during the year.

During the year 44 photo copies were supplied and received postal charges in 5 cases. The Register of Designs was inspected 13 times during the year under review.

140 requests for correction of clerical errors in respect of design were filed in 2003-2004.

These related to notice for alteration of names and address, and address for service and notice of application under rule 40 etc. All these requests were processed during the year.

During the year 177 requests for assignment under section 30 & 30(3) of the Act were filed while 209 cases were pending from the previous year. Out of these 364 cases, 155 cases were disposed.

1 application received and disposed off in respect of application for entry of notification of document in register of Design under section 30 and rule 37.

897 requests for extension of time for furnishing evidence etc. were received under Rule 15, 46,47 & 29(9).

346 requests were received for extension of time for leaving certified copies. All these requests were disposed during the year.

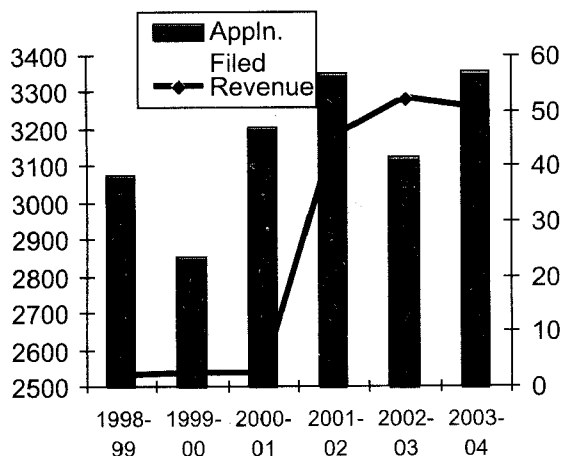
1 request was made during the year for rectification of register of Design under section 31 and disposed.

3 requests were made for notice of application under rule 40. All the requests were disposed.

2 requests were filed for entries of two addresses in the Register of Designs. The requests were disposed.

REVENUE

The income of the Patent Office during the year 2003-2004 from fees in respect of design applications and other proceedings



under the Designs Act, 2000 and Designs Rules, 2001 amounted to Rs. 53, 01,165/-

(Rupees Fifty-Three Lakhs One Thousand One Hundred Sixty Five only).

The branch offices received 223 applications out of the total applications filed. The statement showing the details of fees received in respect of designs is furnished in Appendix "A" to the report.

Trend of application filed and registered has been shown in Appendix "B" and by origin shown as Appendix "C".

(S. CHANDRASEKARAN)

Controller General of
Patents Designs Trademarks

Dated :
19th October 2004

DESIGNS FEES RECEIVED DURING 2003-2004

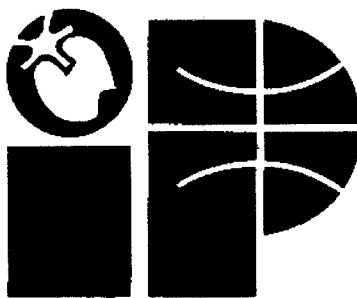
Description of Documents	No.	Fees (Rs.)	Amount (Rs.)
Application for registration of Designs under section 5 & 44 of the Designs Act, 2000. (3357 nos of application fees have been received by Branch Offices)	3134	1000	3134000
Balance Fees	-	-	-
To proceed as an applicant or Jt. Applicant Sec 8(1)	2	500	1000
Balance Fees	-	-	-
Application to extend copyright under section 11(2)	526	2000	1052000
Balance Fees	3	-	4080
Restoration of Lapsed design Sec. 12(2)	9	1000	9000
Inspection of Regd. Design Sec. 17(1)	-	500	-
Balance Fees	-	-	-
Design Search, Sec 18 when Design No. supplied	11	500	5500
Design Search, Sec 18 when Design No. not given	24	1000	24000
Design Cancellation Sec. 19	82	1500	123000
Balance Fees	-	-	-
Notice of intended exhibition or publication of an un-registered designs Sec 21	4	500	2000
Registration of a document in R/D Assignment Sec. 30(3)	28	500	14000
In respect of one design for each additional design	42	200	8400
Entry of name of proprietor or past proprietor. Sec. 30.	32	500	16000
	72	200	14400
In respect of one design for each additional design			
Entry for mortgage or license in Register of Design Sec. 30.	1	500	500
in respect of one design for each additional design	2	200	400
Entry of notification of a document in the R/D Sec. 30 & Rule 37	1	500	500
In respect of one design for each additional design	-	200	-
Correction of Clerical Error Sec. 29	3	500	1500
Request for Cert. U/s 26 & Rule 41	77	500	38500
Certified copy of Design Sec. 17(2)	268	500	134000
Balance Fees	1	-	470
Request for Rectification of Registrar of Design Sec. 31	1	500	500
Petition for extension of time for filing priority documents under rule 15.	363	200	149200
Notice of application under Rule 40	3	100	300
Notice of intention to attend hearing under rules 29 & 40.	73	500	36500
Request to alter name, address or address for review of the Regr. Prop under Rule 31	136	200	31400
Request for entries of two address in the Registrar of Designs	1	200	200
Balance Fees	-	-	-
Supply of Xerox copy of Designs	44	10+4	338
		per page	
Petition under Rule 46,47 & 29(9)	534	500	267000
Balance Fees	-	-	-
Postal Charges of Design	5	-	325
Inspection of Regd. Of Design rule 38	13	250	3250
Miscellaneous	24	-	5902
Grand Total			6078165

**APPENDIX B****TREND OF APPLICATIONS FILED AND REGISTERED**

Year	Filed	Registered
1998-99	3076	2219
1999-00	2851	1382
2000-01	3207	2430
2001-02	3350	2426
2002-03	3124	2364
2003-04	3357	2547

APPENDIX C**TREND OF APPLICATIONS FILED AND REGISTERED BY ORIGIN**

Year	Filed		Registered	
	Indian	Foreign	Indian	Foreign
1998-99	2381	695	1784	485
1999-00	2352	499	1031	351
2000-01	2558	649	1930	490
2001-02	2766	584	1969	457
2002-03	2589	535	1974	390
2003-04	2619	738	2004	543



**INTELLECTUAL
PROPERTY INDIA**

**PATENTS / DESIGNS / TRADE MARKS /
GEOGRAPHICAL INDICATIONS**

**45th Annual Report under Section 126 of the Trade and Merchandise
Marks Act, 1958**

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ANNUAL REPORT 2003-2004
UNDER THE TRADE MARKS LAW

INTRODUCTION

The purpose of trademark legislation is to provide for the registration and better protection of trademark and for prevention of the use of fraudulent marks on merchandise in the country. The registration of a trademark confers certain statutory rights on the Registered Proprietor, which enables him to sue for infringement of the trademark irrespective of whether or not the mark is used. This is in addition to the common law right to sue for passing off. The Trade Marks Registry till recently administered the Trade and Merchandise Marks Act, 1958 and the rules framed there under. The Head Office is located at Mumbai and branch offices at Delhi, Kolkata, Chennai and Ahmedabad. With the growing awareness about IPR in general and trademarks in particular in the country, the role of Trade Marks Registry has progressively increased. This role is expected to further expand with the introduction of protection of trademarks for services, well known marks etc. under the Trade Marks Act, 1999 which has been enacted by parliament and which has been brought into force w.e.f. 15.09.2003. Further, the Registry is also entrusted with the responsibility to closely follow at the international level the deliberations of the WIPO Standing Committee on Trade Marks and further provide inputs on emerging issues relating to protection of Domain Names and International Non Proprietary names. The Trade Marks Registry also undertakes activities relating to awareness generation in the filed of IPR.

Box 1: Operational Highlights		
	2002-03	2003-04
Applications filed For Registration	94,120	92,251
Number of Application advertised in the Trade Marks Journal	52,110	2,09,587
Number of trade marks registered	11,190	39,762
No. of marks in respect of which registration was renewed	31,798	17,187
Request for search	1,78,383	2,84,197
Request for preliminary advice regarding distinctiveness	346	158
Certificates issued under Section 45(1) of the Copyright Act of 1983	4,777	7,473

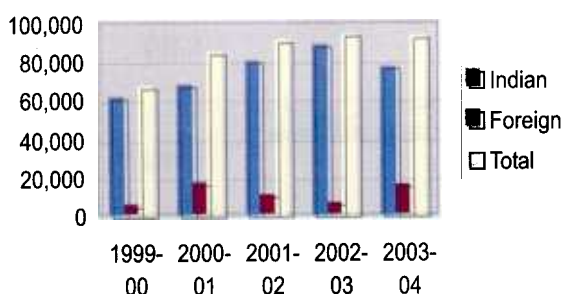
Total Income **4,75,20,745** **27,06,75,959**

The trend of application being filed for registration of trademarks in India has shown a steady increase. During the year under report the number of applications filed is **92,251** as compared to **94,120** applications filed in **2002-03**. While the number of applications filed by Indians was **76,801** the corresponding figures for applications originating from applicants abroad increased from **5,930** applications in 2002-03 to **15,450** applications in 2003-04.

Trend of Applications filed 1999-00 to 2003-04

Year	Indian Applicants	Foreign Applicants	Total
1999-00	60,985	5,393	66,378
2000-01	67,262	17,013	84,275
2001-02	79,746	10,490	90,236
2002-03	88,190	5,930	94,120
2003-04	76,801	15,450	92,251

Trend of Applications Filed 1999-00 to 2003-04



As in the previous year the largest number of applications for registration of trade marks were received in respect of goods in **Class 5** (Pharmaceuticals, Veterinary And Sanitary Substances etc. **17.69%**; **Class 25** (Clothing including boots, shoes and slippers **4.76%**; **Class 30** (coffee, tea, cocoa etc.) **6.73%**; **Class 16** (paper and paper articles etc) **6.80%**; **Class 3** (perfumery, cosmetics etc.) **5.02%**.

A statement showing the classwise distribution of the applications is given in the **Appendix 'A'**

Box 2: Trends in applications filed for different types of trade marks

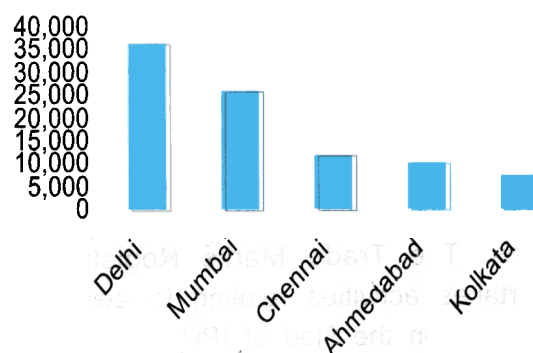
	2002-03	2003-04
Word Marks	90,888	75,428
Device Marks	854	14,860
Number Marks	195	70
Letter Marks	1,719	583
Letter And Numeral		
Combination Mark	464	1,310
Total	94,120	92,251

In comparative terms, there was a decrease of **1869** number of applications over the previous year.

The volume of work has increased considerably. The number of search requests on form **TM-54** was 2,84,197 during the year under report. There has been an increase in the filing of the number of new applications and various other operations in the Registry has also increased.

TRADE MARK APPLICATIONS FILING TREND BRANCHWISE IN 2003-04.

The maximum number of applications were filed at Delhi branch of the Registry (**36,474**) followed by the branches at Mumbai (**25,944**), Chennai (**12,077**), Ahmedabad **10,159**, Kolkata **7,597**



During the year, the Registry received **2,84,197** requests for search of trade marks under the rules as against **1,78,383** requests received in the preceding year. All **2,84,197** requests were disposed off. The number of requests seeking the Registrar's preliminary advice under section 133(1) of the Act and rule 23 during the year was **158** as against **346** in the preceding year. All **158** such requests were disposed of by the Registry.

2,09,587 Applications for registration of trade marks were advertised in the Trade Marks Journal compared with **52,110** during the preceding year. The trend of trade marks published in the Trade Marks Journal in the preceding five years is given in **Annex 1A, Appendix B**.

The Registry also undertook legal proceedings, which were primarily opposition and rectification proceeding under the Act and rules. **16,852** Notices of Opposition to registration of trade marks and **85** applications for rectification of the register were filed. Out of these **5915** Notices of Opposition and **36** applications for rectifications of the register were filed at the Head Office at Mumbai and the rest at the branch offices at Kolkata, Chennai, New Delhi and Ahmedabad.

During the year, **3,535** hearings were posted in respect of opposition, rectification and interlocutory petitions and **2,03,621** hearings were posted in respect of applications for registration of trade marks. Out of this **1,289** opposition, rectification and interlocutory petitions and **1,46,949** applications for registration of trade marks were finally disposed off.

Details of hearings posted at the Trade Marks Registry, Mumbai and its branch offices at Kolkata, Chennai, Ahmedabad and Delhi are given in **Appendix 'C'**

29 Appeals against orders of the

Registrar and Hearing Officers were filed in various High Courts. A total of **44** appeals were disposed off by the High Court during the year. With the coming into force of the Trade Marks Act, 1999 appeals from the orders and decision of the Registrar and other Hearing Officers lies with the Intellectual Property Appellate Board located at Chennai.

16 complaints under section 81 regarding false representation of trade marks as registered were received during the year under report. Out of this **14** cases were disposed while the remaining are under enquiry.

Registration

During 2003-04, the number of trade marks registered was **39,762** as against **11,190** during the preceding year. Classwise statement of the number of marks registered during the year is given in **Appendix 'D'**.

The number of registered trade marks renewed during the year was **17,817** while **256** marks was removed from the register on account of non payment of renewal fee. Assignment of **956** trade marks with or without goodwill of business were recorded in register. During 2003-04, **5,725** entries were made in the register involving alteration of names, business address etc. The number of assignment and other alterations notified in the Trade Marks Journal was **6,681**.

60 Applications for registration of registered users involving **193** marks were received in the Registry. **09** Applications were disposed off while **51** remained pending. A statement showing the number of applications received, entries made in the register and notifications published in the Trade Marks Journal is given in **Appendix 'E'**. A classwise distribution of applications for registration of registered user is furnished in **Appendix 'F'**. Further, **1,686** certificates were issued on request for use in legal

proceedings or for obtaining registration abroad. Under Section 45(1) of the Copyright Act, 1957 (as amended by Act No. 23 Of 1983), **7,473** certificates were issued for registration of artistic work as copyright during the year.

REVENUE AND EXPENDITURE

The income of the Trade Marks Registry during 2003-04 was **Rs. 27,06,75,959/-** as against **Rs. 4,75,20,745/-** during the previous year. The expenditure for this year was **Rs. 4,49,46,640/-** as against **Rs. 4,09,45,000/-** during the previous year.

GENERAL

Staff

The Trade Marks Registry has a sanctioned staff strength of 329. This includes 30 posts sanctioned in 2002 for the additional strengthening of the Registry as part of the administrative support for the office. Details of sanctioned posts and actual working strength as on 31st March 2003 is indicated in **Appendix 'G'**. There are 32 Group 'A' Posts and 62 Group 'B' Posts, 171 Group 'C' Posts and 64 Group 'D' Posts which are distributed between the Head Office at Mumbai and branch offices at Kolkatta, Chennai, New Delhi and Ahmedabad. In order to provide technical support for the IT related components four senior posts for the EDP Section have been sanctioned and which are placed at the disposal of the Director General of the National Informatics Centre (NIC) for providing computer professionals for the Registry. Under the Trade Marks Act, 1999 the new post created by the Government includes 3 Group 'A' Posts, 6 Group 'B' Posts, 6 Group 'C' Posts and 1 Post of Group 'D'.

During the period under report **4,05,673** letters were received and **3,74,256** letters

were issued by the Trade Marks Registry. The number of persons who called at the Registry during the year for information relating to filing of applications for registration of trade marks and other proceedings was **8,016**.

In accordance with the policy of the Government a Public Grievance Cell has been functioning in the Registry to expedite the disposal of grievances of the public.

Trade Marks Act, 1999

This statute provides for the registration of trade marks and through the medium of registration, facilitates the process of obtaining speedier and effective remedies against unauthorized use of the IPR inherent in a trade mark by a rival trader. Amendments to the trade marks statute are required from time to time. In this context, the Trade Marks Act, 1999 attempts to bring the law in line with changing trends in trading and commercial practices in India and abroad. While the Trade and Merchandise Marks Act, 1958 provides protection to goods, the Trade Marks Act, 1999 seeks to replace the present legislation with a legislation which is more comprehensive in scope and in harmony with other Intellectual Property related legislation in the country, incorporating user friendly features.

While these amendments are intended to update the legislation in keeping with needs of the industry, they also make the Trade Marks Act, 1999 consistent with India's obligations as contained in the TRIPS Agreement, 1994. As a WTO Member, India was required to fulfil these obligations by 31st December 1999. The subordinate legislation containing the rules under the Act have been notified. However, the Trade Marks Act, 1999 has not yet been brought into force with the effect from 15th September, 2003.

Box 3 : Main Features of The Trade Marks Act, 1999

- Inclusion of services in the definition of trademark
- Provision for registration of collective mark
- Establish a single register of trade marks instead of two parts Part-A And Part-B at present
- Provision for single application for registration in more than one class of goods and/or services
- Increase in initial term of registration of trade mark from 7 to 10 years
- Providing a grace period of six months for payment of renewal fees
- Amplification of circumstances in which validity of registration can be contested
- Delegation of powers to the Registrar for disposing off certain applications
- Harmonizing penal provisions of the trade marks law with copyright law
- Provisions for establishment of an Appellate Board

Box 4: Gains of IXth Plan:

- The pending backlog of new applications have been brought down from 5 years
- The data base has been updated till March, 2003 to facilitate up-to-date search
- 'Operation Surya' now provides on line renewal in clear cases
- Redesigning of Trade Marks Registry at Mumbai has eased to some extent the pressure of space and storages and given Registry the necessary face lift keeping in mind the requirement of a hitech IPR office and improved work efficiency
- Publication of brochures, pamphlets and preparation of first version of the Practice and Procedure Manual
- Installation of Kiosks at Mumbai
- Development of CD's containing Trade Marks Information
- Holding of several workshop on trade marks

Modernization Project to Upgrade Registry Registry

To strengthen the infrastructure of the Trade Marks Registry, Government has approved a Project under the Xth Five Year Plan at a total project cost of Rs. 8.59 Crores. In all a sum of Rs. 5.17 Crores was utilized under the IXth Plan for re-engineering the Registry at Mumbai for purchase of hardware, upgradation of library books, purchase of mobile shelves etc. The allocated sum for the year 2001-2002 was Rs. 3.00 crores and a sum of Rs. 284.65 lacs was utilised. The components covered include (i) Liquidation of backlog at the Registry; (ii) Strengthening the infrastructural support of the Registry; (iii) Strengthening public utility services; and (iv) Augment automation support system. This Project has strengthened the infrastructure and helped in the expeditious registration of trademarks.

The Government has also approved a Xth plan project for the Trade Marks Registry styled "Strengthening and enhancing the capabilities of TMR" with a budget outlay of Rs.8.43 crores.

This project aims at the Establishment of a Trade Marks Registration system with the following main goals:

- i) To establish a timely trade mark registration system in India;
- ii) To provide quality search, examination and supporting services that are competitive globally by development of a new application software system;
- iii) Further, digitalization of Trade Marks Information service using CD-ROM technology;

iv) To incorporate common elements such as front office, software for handling applications in the front office, public area, restricted area and to bring standardization and uniformity in TMR functioning.

v) To organize local training awareness, seminars, campus talks, workshops and develop promotional materials. The project will cover the Trade Marks Registry Head office at Mumbai and its branches.

In order to provide outreach services through the electronic media, the Trade Marks Registry launched its Website www.tmrindia.com which provides valuable information to the users relating to (A) The Trade Marks Act, 1999, (B) The Trade Marks Rules 2002, (C) Application Forms and Procedure for Registration (D) Details about Trade Marks Registry and its offices etc. (E) Hearing Notice and also provides a frequently

asked questions page. This website is proposed to be upgraded over a period of time to include processing of on-line requests and facilitate on-line filing of applications.

The registry continued to provide inputs to the Department of Industrial Policy & Promotion in matters relating to issues before different committees of the World Intellectual Property Organization and the World Trade Organization relating to different International Conventions and Agreements as well as matters of policy of national importance.

(S.CHANDRASEKARAN)
Controller General of Patents,
Designs And Trade Marks.

**STATEMENT SHOWING CLASS-WISE DISTRIBUTION OF APPLICATION FOR
REGISTRATION OF TRADE MARKS FROM 1ST APRIL, 2003 TO 31ST MARCH, 2004**

Class as per the IV th Schedule TMR, Rules 1959	GOODS	Number of Applications filed
1	Chemical products used in industry, science, photography, agriculture, horticulture, forestry, manures etc.	1642
2	Paints and Varnishes	808
3	Perfumery, cosmetics etc.	4635
4	Industrial Oil and Greases (Other than edible Oil) etc.	636
5	Medicinal, Pharmaceuticals, Veterinary and Sanitary substances etc.	16300
6	Un-Wrought and partly-wrought common metal and their alloys etc.	1369
7	Machines and Mechanic Tools, Motors, etc.	2877
8	Hand Tools and Instruments etc.	572
9	Scientific, Nautical, Surveying and Electrical apparatus etc.	6648
10	Surgical, Medical, Dental And Veterinary Instruments, apparatus etc.	902
11	Installation for Lighting, Heating etc.	2252
12	Vehicles and their parts, apparatus, Locomotion by land, air & water	2193
13	Fire arms, ammunition and projectiles, etc.	174
14	Precious metals and their alloys, etc.	1589
15	Musical instruments (other than talking machines and wireless apparatus)	166
16	Paper and Paper Articles, Stationery, Printed Matters etc.	6275
17	Gutta Percha, India Rubber etc.	1095
18	Leather and Imitation of Leather etc	748
19	Building Materials etc.	1821
20	Furniture, Mirrors etc.	919
21	Small Domestic Utensils etc.	1179
22	Ropes, Strings etc.	241
23	Yarns and threads	385
24	Tissues (Piece goods) etc	1721
25	Clothing including Boots, Shoes and Slippers	4391
26	Laces and embroidery, Ribbons and braids etc.	370
27	Carpets, rugs, mats etc.	259
28	Games and Playthings etc.	745
29	Meat, Fish, Poultry etc.	2364
30	Coffee, Tea, Cocoa etc.	6209
31	Agricultural, Horticultural and Forestry Products and Grains not included in other classes	1606
32	Beer, Ale and Port, Mineral and Aerated Waters and Other Non-Alcoholic drinks not included in other Classes	1628
33	Wines, Spirits and Liqueurs	754
34	Tobacco, Raw or Manufactured, Smokers Articles, Matches.	1710
35	Advertising, business, management, business administration, office functions	2654

36	Insurance, financial affairs, monetary affairs, real estate affairs	1623
37	Building construction, repairs, installation Services	1122
38	Telecommunications	1100
39	Transport, Packaging and Storage of goods, travel arrangement	1078
40	Treatment of materials	396
41	Education, providing of training, entertainment, sporting and cultural activities	2596
42	Providing of foods and drink, temporary accommodation, medical, hygienic and beauty care, veterinary and agricultural services, legal services, scientific and industrial research, computer programming, services that cannot be classified in other classes	4499
Total		92251

APPENDIX "B"

APPLICATIONS ADVERTISED DURING THE YEAR

Sr. No.	Year	No. of Trade Marks published in the Journal
1.	2003-2004	209587
2.	2002-2003	52,110
3.	2001-2002	8,950
4.	2000-1999	18,350
5.	1999-2000	15,209

APPENDIX "C"

**LEGAL PROCESSES (OPPOSITIONS/RECTIFICATION/INTERLOCUTORY
PETITIONS AND HEARINGS
1ST APRIL 2003 TO 31ST MARCH, 2004**

SR. No.	Place of Hearing	Oppositions/Rectifications Interlocutory Petitions	Applications	TOTAL
1	Mumbai	934	68519	69453
2	Kolkata	24	30175	30199
3	Chennai	801	26785	27586
4	Delhi	1372	65204	66576
5	Ahmedabad	404	12938	13342
TOTAL		3535	203621	207156

**TRADE MARKS REGISTERED BY CLASS IN
PART "A" OF THE REGISTER
1ST APRIL 2003 TO 31ST MARCH 2004**

CLASS	NO. OF TRADE MARKS
1	1158
2	0458
3	1793
4	0331
5	12081
6	0528
7	1348
8	0315
9	3637
10	0447
11	1124
12	1126
13	0112
14	0399
15	0098
16	2822
17	0473
18	0393
19	0472
20	0393
21	0405
22	0130
23	0261
24	0805
25	2732
26	0214
27	0152
28	0401
29	0703
30	2108
31	0549
32	0508
33	0739
34	0547
TOTAL	39,762

APPENDIX "E"

DETAILS OF POST REGISTRATION PROCESS FROM 1ST APRIL 2003 TO 31ST MARCH 2004

Registered Users

1.	Number of applications on form TM-28 filed for Registered Users	60
2.	Number of marks for which registration of Registered User applied for	193
3.	Number of application on form TM-29 filed for variation of registration of Registered Users	18
4.	Number of marks involved in applications for variation of Registered Users	40

Entries made in the Register

1.	Assignments	956
2.	Alterations made for Names, business address and address for service	5679
3.	Marks altered	04
4.	Cancellation of marks	28
5.	Rectification	Nil
6.	Specification of goods amended	Nil
7.	Corrections	14
8.	Registered Users	03
9.	Variation of Registered Users	06

Notification in Trade Marks Journal

1.	Assignment and Transmissions	956
2.	Alterations of names and business addresses	5679
3.	Marks altered	04
4.	Rectification	Nil
5.	Correction	14
6.	Cancellation of marks	28
7.	Specification of goods amended	Nil
8.	Corrigenda	Nil
9.	Cancellation of Registered Users	Nil
10.	Variation of Registered Users	03
11.	Registered Users	06
12.	Alteration of names and addresses of Registered Users	Nil

**DISTRIBUTION OF APPLICATIONS FOR
REGISTRATION OF REGISTERED USER BY CLASS
1ST APRIL 2002 TO 31ST MARCH, 2003**

CLASS	MARKS	CLASS	MARKS
1	01	18	03
2	01	19	Nil
3	09	20	Nil
4	Nil	21	04
5	17	22	Nil
6	2	23	02
7	2	24	24
8	1	25	03
9	01	26	Nil
10	02	27	Nil
11	Nil	28	04
12	02	29	Nil
13	Nil	30	09
14	02	31	06
15	Nil	32	06
16	02	33	06
17	01	34	83
		TOTAL	193

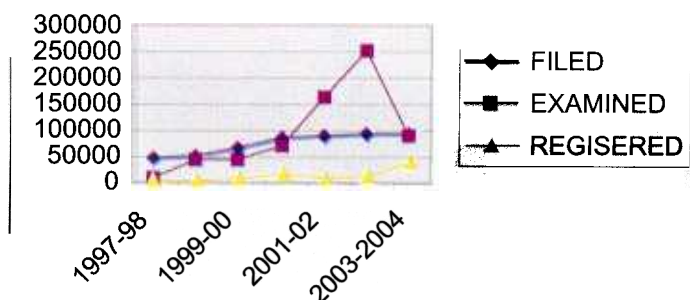
DETAILS OF STAFF STRENGTH AS ON 31ST MARCH 2004

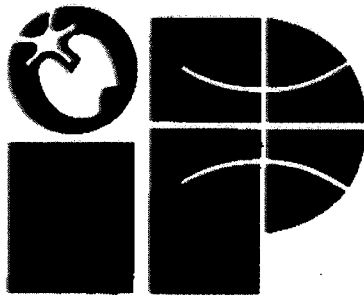
	SANCTIONED STRENGTH						WORKING STRENGTH					
	HEAD OFFICE	BRANCHES					HEAD OFFICE	BRANCHES				
	MUMBAI	KOLKATA	CHENNAI	DELHI	AHMEDABAD	TOTAL	MUMBAI	KOLKATA	CHENNAI	DELHI	AHMEDABAD	TOTAL
GROUP 'A' (GAZETTED)												
1. Controller General of Patents, Designs and Trade marks	1	-	-	-	-	1	1	-	-	-	-	1
2. Joint Registrar of Trade Marks	1	-	1	1	-	3	3					3
3. Deputy Registrar of Trade Marks	2	1	1	1	-	5	-	-	-	1	-	1
4. Assistant Registrar of Trade Marks	5	1	1	1	1	9	4	1	1	2	1	9
5. Senior Examiner of Trade marks	8	1	1	1	-	11	6	-	-	-	1	7
6. Principal System Analyst	1	-	-	-	-	1	-					-
7. Senior System Analyst	1	-	-	-	-	1	1	-	-	-	-	1
8. System Analyst	2	-	-	-	-	2	2	-	-	-	-	2
Total	21	3	4	4	1	33	17	1	1	3	2	24

RECENT TREND IN TRADE MARKS APPLICATIONS

	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04
FILED	46712	51704	66378	84275	90236	94120	92251
EXAMINED	7116	42104	42500	70115	159735	249003	89958
REGISTERED	4120	5300	8010	14202	6204	11190	39762

RECENT TREND IN TRADE MARKS APPLICATIONS





**INTELLECTUAL
PROPERTY INDIA**

**PATENTS / DESIGNS / TRADE MARKS /
GEOGRAPHICAL INDICATIONS**

**2nd Annual Report under the Geographical Indications of goods
(Registration and Protection) Act, 2003**



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2nd ANNUAL REPORT 2003-2004
UNDER THE GEOGRAPHICAL INDICATIONS REGISTRATION

1. INTRODUCTION:

The Geographical Indications of Goods (Registration and Protection) Act, 1999 was enacted in December 1999 and came into force on 15th September 2003. The objectives of the legislations are:

- a. better protection of intellectual property inherent in geographical indications;
- b. giving impetus to Indian exports of goods bearing geographical indications; and
- c. meeting the country's obligations regarding protection of geographical indications under the TRIPS Agreement.

2. ACTIVITIES:

The Registry has received seven applications with regard to registration of Geographical Indication for protection of name of goods to safeguard the Intellectual property inherent in such Indications of source. The said applications are being processed.

The Registry has earned a revenue of Rs.45,000/- by way of fees. The expenditure statement is shown in Appendix-I. The staff strength of the Registry is shown in Appendix-II. A modernization programme has been initiated in the Registry details of which is given below:

Modernization of Geographical Indications Registry:

The major components are:

1. Development of Information Technology Application System.
2. Human Resource Development and Public Awareness.
3. Development of Library activities.

Development Objectives:

This activity involves –

- i. System Study
- ii. Development of System
- iii. Additional requirement of Hardware and Software

The C-DAC, Bangalore is identified to develop the Software which will be compatible to various provisions of the Geographical Indications Act and Rules on the basis of the work flow of the Geographical Indications Registry and the main focus would be online search, e-commerce, electronic fee transfer facility.

Human Resource Development and Public Awareness:

1. WIPO Asia and Pacific Symposium on Geographical Indications was held on November 18th to 20th, 2003 at New Delhi. The Symposium was attended by all the Senior Official of the Registry.
2. The Geographical Indications Registry Office participated in programmes organized by Technology Information, Forecasting and Assessment Council (TIFAC), Small Scale Industries (SSI) and delivered lecture on 15th January 2004 at Calcutta, on 19th March 2004 at Chennai.
3. The Awareness Material was prepared in Hindi and Awareness Material was widely circulated on request to various Government, Quasi-Government Organization and United Nations Industrial Development Organisation (UNIDO).
4. Awareness Seminar on Geographical Indications of Goods have been

conducted at (i) Odakkali in Ernakulam, Kerala on 26th May 2003, (ii) Bikaner in Rajasthan on 11th July 2003, (iii) Jaipur in Rajasthan on 12th July 2003 (iv) Kota in Rajasthan on 14th July 2003 and (v) Alleppy in Kerala on 24th November 2003.

Library Activities:

The Committee has been constituted to identify and purchase the Library Books to Benefit Examiners and Hearing Officers of Geographical Indications Registry. Books have been purchased to the tune of Rs.10 lakhs, (the Allocated Budget) for the year 2003-2004 under the development of library activities.

(S. CHANDRASEKARAN)
Controller General of Patents,
Designs And Trade Marks.

Dated :
19th October 2004

EXPENDITURE STATEMENT

Sl. No.	Head	Allocation	Amount Spent
1	PLAN	40,00,000	13,20,000
2	NON-PLAN	55,45,000	21,00,000

DETAILS OF STAFF OF GEOGRAPHICAL INDICATIONS REGISTRY
1. Working strength as on 31.03.2004

Group	Total working strength	Physically Hadicapped	Ex-Servicemen	SC	ST	OBC
Group A	2	-	-	-	-	-
Group B	-	-	-	-	-	-
Group C	2	-	-	-	-	-

2. Progressive use of Hindi from 1.4.2003 to 31.3.2004

Persons employed	Officer	Staff	Total
Persons with working knowledge of Hindi	2	-	2
Persons yet to be trained in Hindi	-	2(ad-hoc)	2



**INTELLECTUAL
PROPERTY INDIA**

**PATENTS / DESIGNS / TRADE MARKS /
GEOGRAPHICAL INDICATIONS**

**Annual Report of Intellectual Property Training Institute
and Patent Information System**

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**ANNUAL REPORT OF THE
PATENT INFORMATION SYSTEM AND THE INTELLECTUAL
PROPERTY TRAINING INSTITUTE (NAGPUR)**

PATENT INFORMATION SYSTEM

The Patent Information System (PIS), Nagpur has been functioning as a patent information base for the users since 1980. This office is a subordinate to the Office of the Controller General of Patents, Designs & Trade Marks. The PIS maintains a comprehensive collection of patent specifications and patent related literature on a world wide basis and provides technological information contained in patent or patent related literature through search services and patent copy supply services to various users of R&D establishments, govt. offices, Private Industries, business, Inventors and other users within India. During the period 1st April 2003 to 31st March 2004, PIS supplied copies 631 patent specifications, conducted 199 patent searches and made 1810 Data Entry for Indian patents. The expenditure incurred upto 31st March 2004 is Rs.53,57, 419/- and the revenue earned during this period is Rs.1,43,572/-. The activities of PIS have been modernized to give effective services to the users. A statement showing the staff

strength is given in Appendix-I while a performance data is shown in Appendix-II.

INTELLECTUAL PROPERTY TRAINING INSTITUTE

Intellectual Property Training Institute (IPTI), Nagpur conducts training programmes meant for personnel engaged in Intellectual Property Rights matters and provides training to Examiners of Patents and organizes programme for other users such as Industrialists, businessmen, scientists, researchers, individuals, etc. IPTI has conducted 22 training programmes during the year 2003-2004 and has generated income of Rs.1,19,950/- against the plan expenditure of Rs.5,05,887/-.

(S. CHANDRASEKARAN)

CONTROLLER GENERAL OF PATENTS,
DESIGNS AND TRADE MARKS

Dated :
19th October 2004

**Statement showing the sanctioned and working strength
Of Office of the Patent Information System, Nagpur**

	Name Of Post	Sanctioned strength	Working strength
	Gazetted		
1.	Deputy Chief Executive Officer	1	vacant
2.	Senior Documentation Officer	2	2
3.	Junior Documentation Officer	1	vacant
4.	Senior Programmer	1	1
5.	Reprography Officer	1	1
	Total	6	4
	Non Gazetted		
1	Superintendent	1	1
2	Senior Documentation Assistant	1	1
3	Junior Documentation Assistant	2	2
4	Junior Reprography Assistant	3	3
5	Assistant Superintendent	1	1
6	Store Assistant	1	1
7	Stenographer	2	2
8	Junior Hindi Translator	1	-
9	Shelf Assistant	1	-
10	Upper Division Clerk	4	4
11	Receptionist	1	1
12	Lower Division Clerk	5	5
13	Hindi Typist	1	1
14	Data Entry Operator	2	2
15	Daftry	2	1
16	Peon	4	3
17	Farash	1	1
	Total	33	29
	Total of Gazetted & Non Gazetted	39	33

**Statement showing the performance of the
Office of the Patent Information System**

1	Actual Expenditure	(a) PIS (b) IPTI	Rs. 53,57,419/- Rs. 5,05,887/-
2.	Revenue	(a) PIS (b) IPTI	Rs. 1,43,572/- Rs. 1,19,950/-
3	Supply of Patent copies		631 patents & abstracts
4	Following search services have been rendered to the users –		
	i. State of Art Search		30
	ii. Bibliographic Search *		04
	iii. English Equivalent Search		140
	iv. Assisted Search		25
	Total		199
5	Data Entry for Indian Patents		1810
6	Preparation of study material for IPTI training programme		403