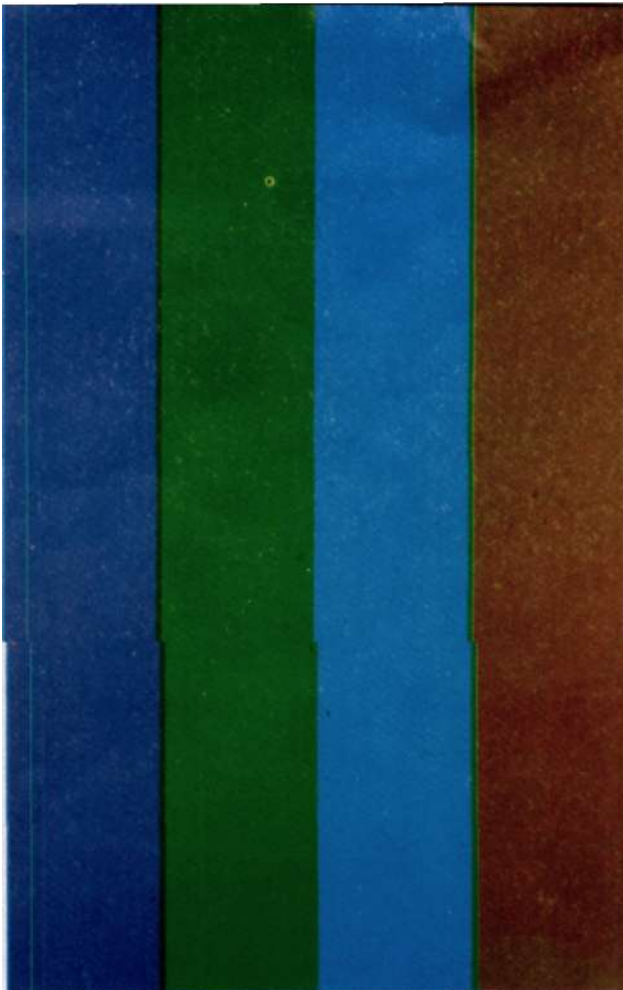


**INTELLECTUAL
PROPERTY INDIA**
PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS

**Annual Report of the Office of the Controller General of Patents, Designs,
Trade Marks and Geographical Indications for the year 2004-05**

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OVERVIEW

At the beginning of the 21st Century Indian economy has started showing all round growth in almost every sector. Indian companies have also started expanding their business further. More and more companies are crossing geographical boundaries to become Indian multinational companies. Due to attractive investment policy of the government, marked improvement in the foreign investments has also been noticed. Thus, a climate has been created in India wherein economy is growing at a very fast pace. Growth of economy is directly attributed to the growth of industry. The growth of industry also has direct dependence on the adoption of improved technology. No improved technology can be available without the same being adequately protected in the country by the appropriate IPR laws. But there is no cause of concern. The country already has international standard IPR laws and by the country's joining in the Paris Convention and the PCT etc., more and more inventors/ industrialists are securing IPR protections not only in India but also abroad. Thus, there has been a conspicuous improvement in the generation of confidence towards the IPR protection. There is no doubt that the sound intellectual property system in a globalised environment would make the industry and the economy more vibrant and competitive and help the industry to become key players both in the national as well as in the international landscape.

Government of India has taken several initiatives to modernize the IPR administration in the country. These include setting up of international standard infrastructure, bringing up the amendments in IPR legislations in conformity and at par with the international standards.

With the increasing responsibility, the office of the Controller General of Patents, Designs and Trade Marks, a subordinate office of the Department of Industrial Policy & Promotion

under the Ministry of Commerce & Industry, Government of India has taken all appropriate measures to administer the IPR laws more effectively so that more and more public is increasingly attracted to create intellectual property assets. Under its control, Patents, Designs, Trade Marks & Geographical Indications laws are being administered in the country. Additionally, Patent Information System (PIS) and the Intellectual Property Training Institute at Nagpur are also under its administrative control. Various functions of these offices under the Controller General are furnished herein. Details of activities of these offices are available in the relevant reports, which are followed thereafter.

PATENTS

Indian Patent Office is geographically divided in four metros in Kolkata, Chennai, Mumbai & Delhi, which is unique in the world. Kolkata Office is the Head Office. The Patent Office is performing the statutory functions of administering the law of patents in the country in accordance with the provision of the Patents Act, 1970 as amended by the Patents (Amendment) Act, 2005 effective from 1st January 2005. This amendment has replaced the earlier Patents (Amendment) Ordinance, 2004. The latest amended law meets fully the country's obligation on the TRIPS Agreement. It also takes care of the public interest, national security, protection of biodiversity and traditional knowledge etc. Further, product patents on Food/Drugs, agrochemicals so long not available for protection have become eligible with effect from 1st January 2005. Provision of earlier Exclusive Marketing rights on drugs and agrochemicals has been omitted.

With the new law in place, it is also important to create a good working environment in the office, for effective administration of the law. With a view to achieve the best in terms of quality of service, the Government of India has continued the modernization activities in

establishing ideal infrastructure with properly trained Examiners in various subjects of specializations. As reported earlier, all the Patent Offices will have modernized buildings of their own at each location. The construction of the uniquely designed Buildings, taken up by the National Building Construction Company Limited, has been progressing very fast in all the places. In Kolkata & Delhi finishing touch is being given so that the buildings could be occupied early. The construction work at Mumbai is fast progressing towards completion.

Photographs showing the actual perspective views of the buildings at Kolkata, Chennai & Delhi are shown herein.

KOLKATA



Building for Mumbai is at quite advance stage.

On April 26, 'Intellectual Property' day was celebrated in all the Patent Offices. The activities of the Patent Office for the entire year were brisk. The officials of the Patent Office conducted seminars and delivered lectures on 'Patenting System in India' organized by Navratnas of Public Sectors like BHEL, ONGC and various other organizations like SISI, TIFAC, NRDC and many Engineering, law colleges and universities.

Apart from these, several training programmes & Workshops on Intellectual Property were arranged by NISCAIR, GITCO, NRDC, UDCT, National Law School, Bangalore. A training programme on Patents & Designs was arranged by Kolkata Patent Office for three examiners from "Royal Government of Bhutan".

About 11 officials of Patent office, attended various trainings/workshops, seminars and symposia sponsored by WIPO, Geneva, in countries like Japan, Malaysia, China, Verona (Italy), etc. during the year 2004-2005.

The offices under the office of CGPDTM are already revenue-generating. During the year 2004-2005, through Intellectual Property (IP) administration, the Patent Office has generated an income of **Rs.40.73 crores**, the Designs Wing **Rs.0.64 crores** and the Trade Marks Registry **Rs.37.94 crores** and GIR (**0.011 crores**). As against this, the **non-plan expenditure** by the Patent Office (including the Design Wing) was **Rs.5.25 crores** and **Rs.4.58 crores** by the Trade Marks Registry while by GIR it was **Rs.0.18 crore**. Thus against a total revenue earned of **Rs.79.32 crores** during 2004-2005, the actual expenditure for Patents, Designs & Trade Marks was **Rs.10.01 crores** leaving a revenue surplus of **Rs.69.31 crores**.

DESIGNS

The Design administration is done within the Patent Office located at Kolkata only. How-

ever, filing of design applications is also possible through the Patent branch offices at Delhi, Chennai and Mumbai. 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. Database of 83,000 registered designs is to be made in searchable form. It is now required to place them online as a searchable database so that the Examiners can conduct the novelty searches. 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 and branches at Ahmedabad, Chennai, Delhi and Kolkata administers the Trade Marks Act, 1999 and rules thereunder in the country. This Act came into force w.e.f. 15.9.2003 superseding the earlier Trade and Merchandise Marks Act, 1958. The role of the Trade Marks Registry in the administration of the Act has increased substantially as it includes inter alia protection of trademarks for services, well known marks etc. In addition, the Trade Marks Registry closely monitors the developments in the International field and provides critical inputs on emerging issues relating to Domain name protection and International Proprietary names. It also carries out periodical awareness programmes to instill greater knowledge about trademark related issues among the general public. During the year the Registry discontinued paper publi-

cation of the Trade Marks Journal and the same is now being published through CD-ROM Journal. 1,47,490 trademarks were published in CD-Journal. The Registry has also initiated digitization of 1.4 million records as a Plan project and is working on a total IT solution to establish a paperless office in the near future.

GEOGRAPHICAL INDICATIONS

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 offer protection of intellectual property inherent in Geographical Indications & thereby prevent their misuse & also to foster the growth of exports for goods bearing Geographical Indications.

PATENT INFORMATION SYSTEM:

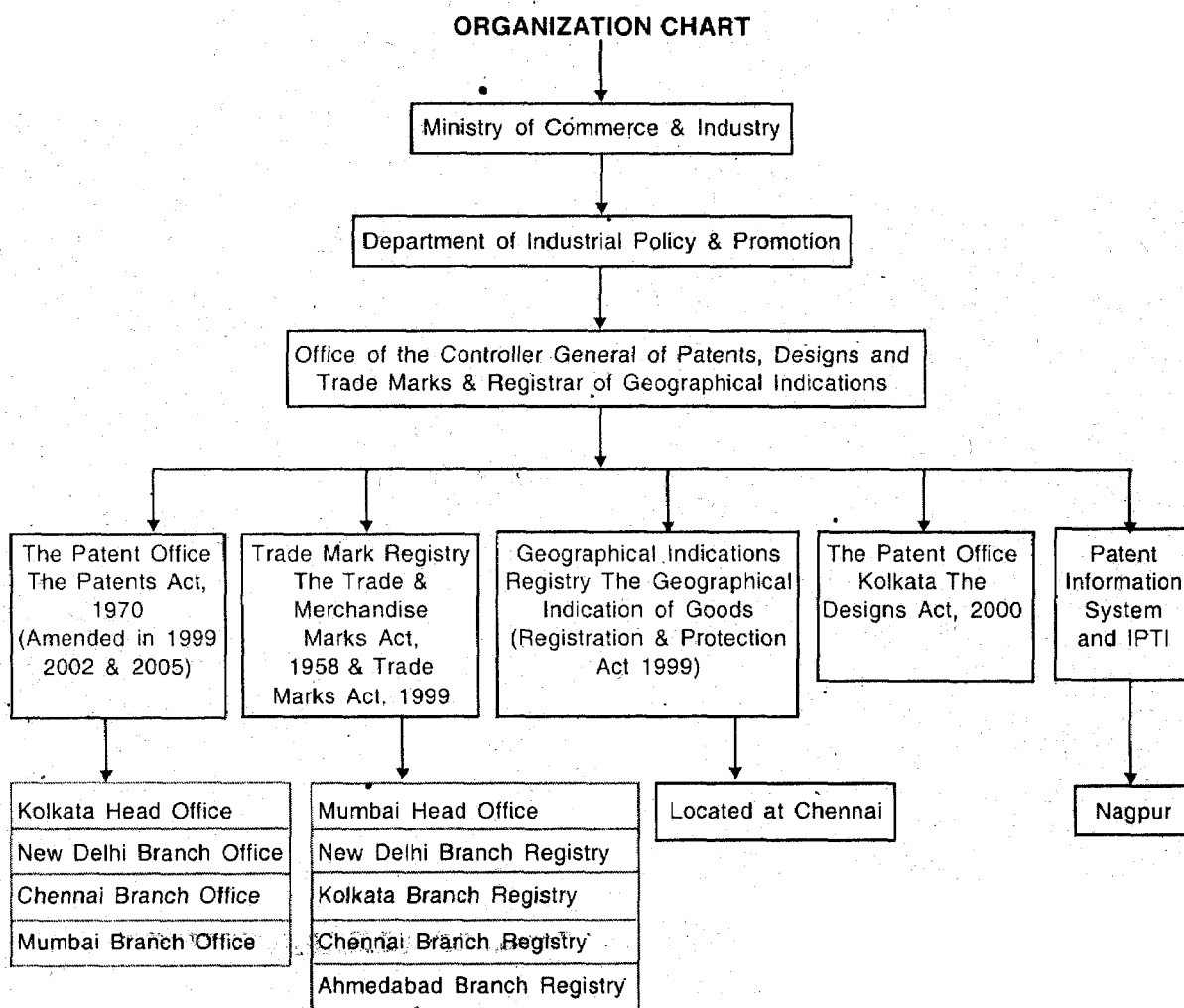
Patent Information System at Nagpur has been functioning as patent information base for the users since 1980. The PIS maintains a comprehensive collection of patent specifications and patent related literature and provides technological information contained in patent or patent related literature through search services and renders information to various users from R&D establishments, government offices, Private Industries, business inventors and others within India. During the period from 1st April 2004 to 31st March 2005 PIS supplied copies of 611 patent specifications and conducted 161 patent searches.

INTELLECTUAL PROPERTY TRAINING INSTITUTE (IPTI):

Intellectual Property Training Institute, Nagpur is involved in conducting training programmes meant for personnel engaged

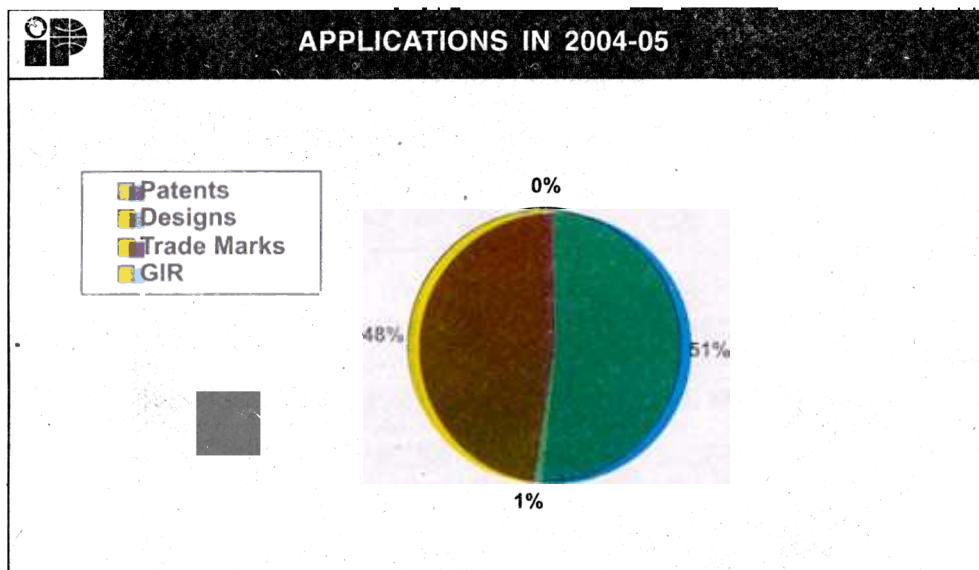
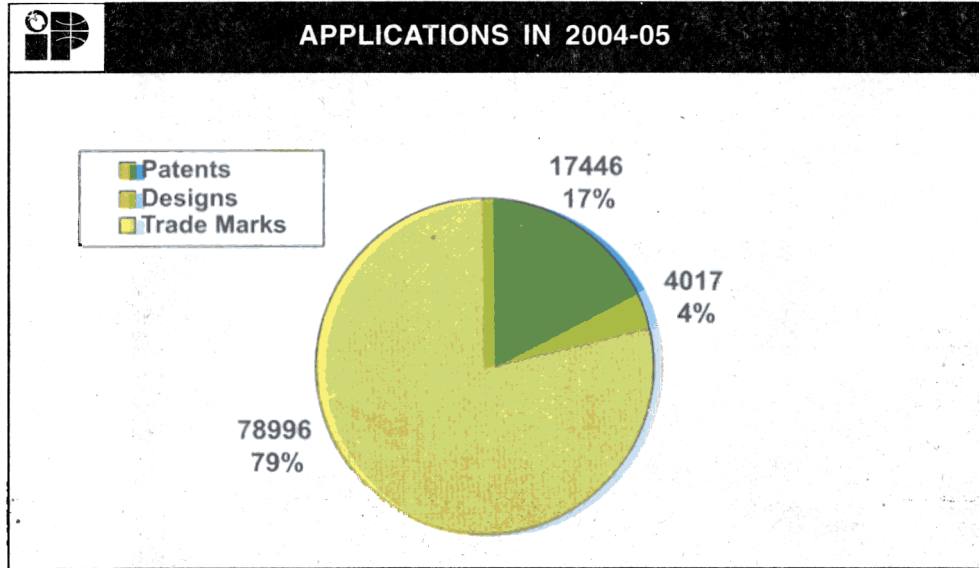
in IPR matters and also provides training to examiners of patent office and organizes awareness programmes for other users such as patent attorneys Scientists, Researchers, etc. Intellectual Property Training Institute has conducted 18 training programmes during the year 2004-05.

Organizational details with hierarchical position of different subordinate offices are given below:





HIGHLIGHTS AT A GLANCE



Revenue generated during the year 2004-2005

Patents	Rs. 40,72,54,457
Trade Marks	Rs. 37,94,85,262
Designs	Rs. 64,59,282
GIR	Rs. 1,10,000
TOTAL	Rs. 79,33,09,001

EXPENDITURE DURING THE YEAR 2003-2004

Patent Office (Including Designs)	Rs. 5.25 crores
Trade Marks	Rs. 4.58 crores
GIR	Rs. 0.18 crore
TOTAL	Rs. 10.01 crores

YEARLY TREND IN PATENT APPLICATIONS

	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Filed	4824	8503	10592	11466	12613	17466
Examined	2824	4264	5104	9538	10709	14813
Granted	1881	1318	1591	1379	2469	1911

YEARLY TREND OF DESIGN APPLICATIONS

	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Filed	2874	3207	3350	3124	3357	4017
Examined	2067	3207	3480	3124	3228	4017
Registered	1382	2430	2426	2364	2547	3728

YEARLY TREND OF TRADE MARK APPLICATIONS

	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
Filed	51704	66378	84275	90236	94120	92251	78996
Examined	42104	42500	70115	159735	249003	89958	72091
Registered	5300	8010	14202	6204	11190	39762	45015

COMPARATIVE TREND OF IPRs GRANTED

	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Patents	1533	907	1844	1800	1881	1318	1591	1379	2469	1911
Designs	1851	1765	1879	2219	1382	2430	2426	2364	2547	3728
Trade Marks	5310	4686	4120	5300	8010	14202	6204	11190	39762	45015



**INTELLECTUAL
PROPERTY INDIA**
**PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS**

**33rd Annual Report under Section 155 of the Patents Act, 1970
for the year 2004-05**

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**33rd ANNUAL REPORT OF THE PATENT OFFICE
UNDER SECTION 155 OF THE PATENTS ACT, 1970
AS AMENDED**

1. INTRODUCTION

The revival of the Indian Economy and globalization of markets have thrown open new opportunities. Among these have emerged opportunities in the IPR field, which have been redefined in post TRIPS era of WTO, as 'business'. While developed nations have generated wealth from IPR over last several decades, now the new Patent regime has become a strong driving force to transform India into an IP superpower. As technological innovation is facilitated by healthy IPR protection, the onus is on the policy for correct balance between "industrial development goals" and "protection of national interest". A strong patent regime is a key driver for foreign investment in India, particularly when other competing countries in South East Asia, including China offer better investment climate.

At this scenario, the 3rd Amendments to the Patents Act 1970 introduced product patenting in pharmaceuticals, food and chemicals effective from January 1, 2005, which rationalized and reduced the timeline for processing of patent applications. These amendments have eliminated several debatable issues so that the new Patent regime is more transparent, unambiguous and less time consuming in grant of patents. Creation of international standard infrastructure supported the effective manoeuver of the set targets.

The Patent Office administers the law concerning protection of inventions in the country by way of grant of limited monopoly to the inventors or their assignees. The grant of patents is governed by the Patents Act, 1970 as amended. The first amendments to this law were in 1999 for the introduction of a provision for filing application on drugs/

agrochemicals as products and also for a provision for grant of exclusive marketing rights on the same. The second, called the Patents (Amendment) Act, 2002 was made effective from 20th May, 2003 which covered comprehensive amendments required by the TRIPS Agreement obligations. On 26th December, 2004, the Patents (Amendment) Ordinance, 2004 with simultaneous introduction of Patents (Amendment) Rules, 2005 both effective from 1st January 2005 was to be promulgated to meet the country's obligation towards complying with remaining provisions of the TRIPS Agreement. The said Ordinance was finally repealed and replaced with some modifications by the Patents (Amendment) Act, 2005 notified on 5th April, 2005 and made effective for most of the provisions with retrospective effect from 1st January 2005. Provisions of "Appellate Board" are yet to be in force.

Under the new law there has been a clear attempt of reducing the overall granting time. Further, most of the time periods stipulated in the earlier law has been shifted to the Rules.

The highlights of the Patents (Amendment) Act, 2005 are given below:

- (i) New definitions added, such as on "Budapest Treaty", "opposition Board", "new invention" and "inventive step", omitted for food, medicine or drug; amended for "convention application", "Government Undertaking" etc.
- (ii) Section 3(d) modified to exclude patentability of mere discovery of a new form of a known substance.
- (iii) Section 5 omitted. Thus product patent on chemicals, food, drugs or agro-

- chemicals become available, one of the main provisions for which these amendments were necessary under the TRIPS Agreement.
- (iv) Section 7 modified to clarify the filing date of a National Phase application through PCT route.
 - (v) Under Section 10(4)(ii) reference of "Budapest Treaty" given for depositing of biological materials in an international depository authority.
 - (vi) Under certain conditions, an applicants' request publications of applications at any time before 18 months permitted. Publications give the applicant the like privileges and rights as if a patent has been granted. Thus, the applicant would be encouraged to make request for early publication. This opens up possibility for early examination and early grant.
 - (vii) Time period (now prescribed in the Rules) for filing request for examination reduced.
 - (viii) Examination time (transferred to the Rules) reduced to 3 months.
 - (ix) Time for putting an application in order for grant reduced to six months extendible by upto 3 months.
 - (x) Section 22-24 omitted as concept of "acceptance" has been ceased to exist. Instead the word "grant" has been introduced throughout.
 - (xi) Chapter IVA (Section 24A to 24F) relating to Exclusive Marketing Rights omitted.
 - (xii) Pre-grant opposition can be lodged any time before the grant after the publication.
 - (xiii) Post-grant opposition before the Controller possible upto one year from the date of grant. A concept of "Opposition Board" introduced.
 - (xiv) Provision relating to "wrongful obtaining" and treating the patent as of the opponent modified.
 - (xv) Section 39 further modified to require permission for first filing abroad for all kinds of inventions.
 - (xvi) Provision of "sealing" removed. Patents would be granted directly if found in order.
 - (xvii) "Notification"/"Advertisement" in the "Gazette" replaced by "publication" in "Official Journal".
 - (xviii) Central Government may specify the name of the Patent Office.
 - (xix) Terms and conditions of compulsory licenses further modified. Compulsory license shall also be available for manufacture and export of patented, pharmaceutical products to any country having insufficient or no manufacturing capacity in the pharmaceutical sector.
 - (xx) Penalty for unauthorized claim of patent rights raised to one lakh rupees.
 - (xxi) Penalty for refusal or failure to supply information under Section 100 or 146 raised to "ten lakhs".
 - (xxii) Penalty for unauthorized representation as patent agents raised manifold.
 - (xxiii) Passing qualifying examination for registration as Patent agents for the advocates also has become necessary.

(xxiv) Scope of "Convention countries" modified when group of countries, union of countries or inter-governmental organization included.

(xxv) Transmission of copies of printed specifications to approved inspection centers discontinued.

(xxvi) Power of central Government to make Rules modified.

(xxvii) Transitional arrangements provided for the already granted or pending application on exclusive marketing rights on drugs/pharmaceuticals.

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. Further the protection and enforcement of patent rights contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations; the patents granted do not impede protection of public health and nutrition and should act as instrument to promote public interest specially in sectors of vital importance for socio-economic and technological development of India and the patent right is not abused and is not subjected to practices which unreasonably restrain trade or adversely affect the international transfer of technology.

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 2004-2005 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, 2005 is shown in **Appendix - 'A'**

3. PATENT APPLICATIONS

A. FILED DIRECTLY

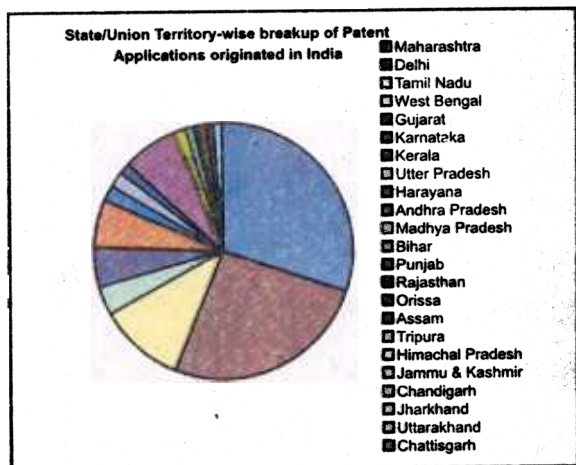
The number of applications for patents filed in 2004-2005 were 17,466 compared to 12,613 applications in 2003-2004 representing an increase of about 28% in the filing.

The number of applications for patents which originated in India were 3,630 contributing approximately 21% of the total number of applications filed during the 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 1995-1996 to 2004-2005 are 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 3,630 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 (1093), Delhi (935), Tamil Nadu (397), Andhra Pradesh (254), Gujarat (179), Karnataka (216), West Bengal (131), Uttar Pradesh (72), Kerala (79), Haryana (48),

Punjab (27), Madhy Pradesh (45), Rajasthan (28), Jharkhand (35), Assam (6), Himachal Pradesh (8), Bihar (41), Chandigarh (9), Goa (2), Chattisgarh (5), Orissa (12).

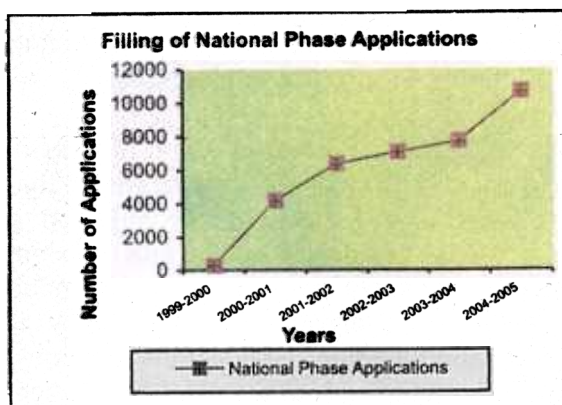
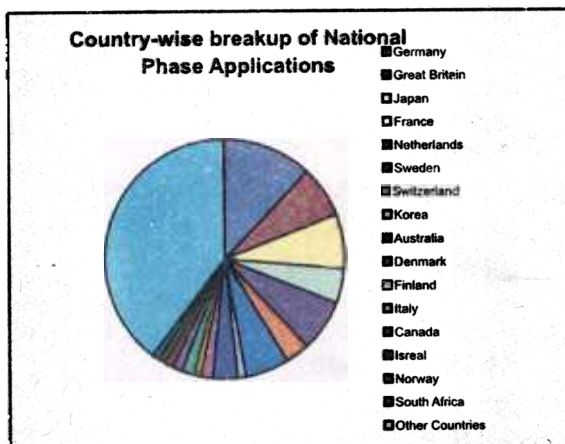


Number of convention applications filed was 2529, increased by 2 1/2 folds over the last year's total of 1016.

A statement showing the distribution of applications filed on Chemical, Electrical, Mechanical and General fields during the period from 2000-2001 to 2004-2005 is shown in **Appendix- 'E'**.

B. FILED AS NATIONAL PHASE THROUGH PCT ROUTE

The number of National Phase applications for patents filed during the year was 10,671. 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, Japan and Great Britain. The country wise break-up figures is as shown in brackets: USA (4053), Germany (1292), France (671) Japan (626), Netherlands (520), Switzerland (383), Great Britain (370), Sweden (287), Australia (280), Italy (169), Denmark (112), Republic of Korea (243), Israel (133), Canada (241), Finland (121), Norway (55), Belgium (64), Austria (52) etc.



C. THE APPLICATIONS UNDER SECTION 5(2) FOR DRUGS/PHARMACEUTICALS AND AGRO-CHEMICALS – MAIL BOX CATEGORY, TILL DATE :

Under the provision of Section 5(2) introduced with effect from 1st January 1995 till 31st December 2004 i.e. just before the removal of that provision under the present law, altogether 8926 applications were received. Said 8926 applications constituted of 3770 applications through PCT National phase route. Further, out of the said total of 8926 applications 973 were in respect of agrochemicals and rest were from drugs and pharmaceuticals.

4. EXCLUSIVE MARKETING RIGHTS (EMR) APPLICATIONS:

Upto the end of the year altogether 14 EMR applications were filed, since this provision

came into force. These included 2 applications for this year. Out of the total, only 4 EMR were granted so far. 4 EMRs applications were refused. 6 applications are still pending. Out of four granted EMRs three presently are subject of legal controversy at different courts. One appeal has been preferred against a refusal.

5. PCT INTERNATIONAL APPLICATIONS:

India joined the Patent Cooperation Treaty on 7th December 1998. The Patent Office Kolkata acted as the only receiving office (RO/IN) of the international applications for India then. With the change of Rules with effect from 19th November 1999 the Branch offices also has started receiving the applications on regional basis. There has been seen an increasing trend in the international PCT filings over the years. During this year total filing was 456 as compared with 430 in the previous year (2003-2004), a rise of 6%.

Statistics of filing PCT international applications for the last five years are given below:

Year	Individual	Legal Entity	Total
2000-2001	45	129	174
2001-2002	49	189	238
2002-2003	57	227	284
2003-2004	102	328	430
2004-2005	105	351	456

Major contributors for the PCT international applications during this year were CSIR, Sun Pharmaceuticals, Jubilant Organosys Ltd., Hewlett Packard, Panacea Biotech, Matrix Laboratories, Biocon India Limited, etc.

6. TREND OF INVENTIONS

Under different categories of inventions following trend has been noticed on the subjects of inventions as follows:

CHEMICALS & CHEMICAL TECHNOLOGY

Inventions in this field comprised both organic & inorganic compounds, of various uses, gel compositions, epoxy resins, fine chemicals and their intermediates, lubricants, fuel oil & detergents.

DRUGS

This may be subdivided as (a) Pharmaceuticals (b) agrochemicals.

(a) PHARMACEUTICALS

Inventions in this category mainly focused on treatment of central nervous system disorders, immunological disorders, enantiomerically pure compounds, resolution of more effective form of molecules, cancer therapies, herbal composition of viral hepatitis, antiviral agent from *aesulus indica*, plant composition for bronchial & respiratory asthma, injectable formulations, Skin treatment and antimalarial composition.

(b) AGROCHEMICALS

In this branch, inventions were related to organic fertilizers, synthetic herbicidal compositions, mesotrione Pcomposition, pyrethroid and organo-phosphorous insecticide, herbicides based on substituted ketoenols and safeners.

POLYMERS

Invention in this field mainly related to high friction polyurethane, elastomers having improved abrasion resistant, elastic thermoplastic graft, polyester carbonate, cellulose fibre, polyester films, rubber compositions & blends, foam, acryl containing polymer for marine coating and separation of polymers from solvent.

CATALYST

Most of the inventions in this category were related to catalyst preparation & uses for bio chemical & chemical process like pseudoephedrine, non zeolite molecule sieve, gaseous acid catalyst

DYE

Invention filed in this field were few based on process of the vegetable dying, natural colour for fabric, inks, encapsulated pigments, silver pigments

FOOD

Number of inventions in this field was very limited. Trend observed mainly on preparation of beverages concentrate based on fructo-oligosaccharides, beverages from red beet, custard apple powder, tomato flakes, flavouring agent.

BIOTECHNOLOGY

Though inventions in this filed were mostly of the foreign origin but there was considerable increase in Indian applications. Inventions were mostly in the field of recombinant DNA molecule, recombinant vaccine, monoclonal antibodies, recombinant therapeutic molecules, diagnostic kits, stem cells, recombinant vectors, bioleaching, biotransformation, biological treatment of waste, gene and somatic cell therapy, pluripotent stem cells derived from regenerative tissue, recombinant microbes expressing chimeric HIV protein, regulation of cell mediated immune response, recombinant interleukin IL-18 inhibitors, plastid transformation vectors, biological treatment of waste water, conjugate vaccine against cholera and tetanus, peptide based immunotherapy for atherosclerosis, mixed cell gene therapy, bone regeneration by gene therapy etc.

MECHANICAL ENGINEERING

Most of the invention in this field were of foreign origin which were mainly related to hermetic compressor, suction muffler for compressor, double headed piston type compressor, reciprocating compressor, scooter type vehicle, cylinder head for internal combustion engine, transmission system, ignition system, cutting insert, absorption refrigerator, augments pilot nozzle, rolling mill, biomass gasification system etc.

On the other hand indigenous inventions were mainly related to CFBC boiler, stoker fired boiler, heat recovery steam generator, backward aerofoil bladed fan, split type hydro-generator, transonic blade, turbo generator etc. One female inventor was found in this field of invention.

METALLURGY

The trend of invention in this field was found on Cu-Zn-Al alloy with low martensite temperature, Electro-coating on surface of stainless steel/ corrosion resistant coating, super alloy/lithium alumino-silicate alloy, low carbon steel & pipes, Iron smelting process, Corrosion inhibitor, Electrolytic zinc powder, advancement of metal extraction.

ELECTRICAL ENGINEERING

The inventions in this category were particularly in the areas of Bobbin for armature of rotary electrical machine, switching housing for electrical switching device, wide bandwidth AC-DC power converter, replaceable protecting device for electrical equipment, fan for producing and circulating pure air and lamp support for cabinet.

INSTRUMENTATION

The filings in this field were primarily centered within the piezoelectric air valve and

multiple-type piezoelectric air valve, portable micro projector and microscope, metal identification device and metal identification method, railway safety signalling system.

PHYSICS

The inventions in this field were particularly related to fiber-optic connectors and related methods, optical displacement sensor, light guide optical device, connector for optic fibers, nanolithography for glass and plastic substrate, fire resistant conduit insert for optical fibre cable, optical displacement sensor.

TELECOMMUNICATION

The applications in this category were concerned with the following major topics- Mobile communication terminal method and method for one-touch transmission, forward link supervision for packet data users in wireless communication network, method and apparatus for connecting packet telephony calls between secure and non-secure networks, wireless extension arrangement for communication system, real time rate control for multi rate data transmission in wireless networks etc.

ELECTRONICS

Inventions in this field were particularly related to improved emitter turn-off thyristors and their drive circuits, electron field emitter and compositions related thereto, light-emitting device including semiconductor nanocrystals, radio ripple control system and method for the operation of such system, logic device with reduced leakage current, electron light emitting road stud, etc.

COMPUTER/SOFTWARE RECORDING/ SOFTWARE REPRODUCING, ENCODING/DECOD-

ING STORAGE MEDIA/ LOGIC GATES/ CIRCUITS

Applications were filed in the following areas of data storage media, data processing apparatus, map decoder and decoding method, secure transfer system for exchange of information, data and mail between public and private networks, method, apparatus and program products for wireless access points, system and method for checking digital certificate status etc.

MEDICAL INSTRUMENTS

Inventions in this field were mainly ophthalmic devices, blood pressure measuring apparatus with index determining function, surgical instruments, dual mode electrocardiogram, automated blood and fluid processing system, devices for dispensing injectable fluid, cardiac monitoring system etc.

CIVIL ENGINEERING

Inventions in the field of Civil Engineering were comparatively less and most of the inventions in this field were originated from foreign countries. Inventions in this category were mainly related to covering of floors and walls, lightweight rail car side frame, fastening system for railway track on Girder Bridge etc.

Indigenous inventions were mainly related to scaffolding, different types of foundation, mixing machine etc.

TEXTILE & PAPER TECHNOLOGY

Inventions in this field were related to yarn producing machine, treatment of textile fabrics, dyeing apparatus for yarns, device for winding a yarn, device for packaging of yarn spool, swing machine, textile fibre slivers, winding machine, textile surface, bobbin,

textile processing machine, production of cotton wrap yarns.

Inventions in the field of paper technology was comparatively less some of which were relating to security paper, method for preparing pulp from cornstalk.

MISCELLANEOUS

Inventions in the miscellaneous category were mostly in safety locks, invisible zipper, cooking utensil with temperature display, multiple torch, collapsible container, child resistant latch, insole for shoes, bottle closure, pillows, tooth brush, suitcase, water heater, drawer storage, safety valve for pressure cooker, umbrella structure and zipper slide of zip fastener.

Indian inventors were mostly interested in sanitary accessories, puncture less tyres and tubes, price display unit, coffee machine, revolving cot, Hindustani slide guitar, footwear, kitchen appliances, water filter and heater, improved broom.

7. LEGAL PROCEEDINGS

Appeals under section 116 of the Act to High Court from decisions, etc. of the Controller:

Legal Proceedings				
Cases	Pending at the beginning of the year	Filed during the year	Disposed off during the year	Pending at the end of the year
Appeals under Section 116	1	-	-	1
(a) Under Section 15	3	-	2	1
(b) Under Section 25	6	-	3	6
(c) Under Section 27	4	-	2	2

8. REVENUE AND EXPENDITURE

Patent Office earned a revenue of **Rs.41.37 crores** (including of Designs administration) by way of fees on various proceedings under the Act as applicable. During this year out of which revenue on patent alone was about **Rs.40.73 crores**. The corresponding expenditure was **Rs.5.25 crores**. The details of revenue by way of collection of fees on patents are shown in **APPENDIX-G**.

9. MISCELLANEOUS PROCEEDINGS UNDER THE ACT

Patents granted: Total number of patents granted during the year was 1,911. These included 67 patents granted on applications relating to Food, 192 to Drug or Medicine, 414 to Mechanical, 245 to Electrical, 573 to Chemical and 278 on General. (**APPENDIX 'F'** may be seen).

Patents in force: 6,857 patents were in force on the 31st March 2005. Of these, 2,200 patents stood in the names of Indians. 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/granted and other information for the years 1995-96 to 2004-2005 are shown in **APPENDIX 'D'**.

Registration of documents under section 68 and Assignments etc. under section 69: 140 & 95 applications for registration of documents under sections 68 and 69 respectively were received during the year out of which 114 & 72 applications were disposed respectively.

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

Out of 41 applications referred to the Ministry of Defence, secrecy directions were imposed

on 35 applications during this year. Secrecy direction continued previously on 35 applications and revoked on 2 applications.

Applications for registration of patent agents: During the year total 127 persons have been registered as Patent Agents. With this, total 743 persons are registered at the end of the year. 63 persons were qualified in the last Patent Agent examination held in November 2004. Their registrations would be executed in the coming year.

Inventions in the field of Atomic Energy: 41 cases were referred to the Department of Atomic Energy for review and 6 applications were found to have attracted prohibition under the atomic energy.

Opposition under Section 25 of the Patents Act, 1970:

In the year 2004-2005, 10 applications under pre-grant and 55 applications under post-grant opposition were filed out of which 8 & 49 applications were disposed respectively.

10. Training Programme on Intellectual Property Rights to International participants:

The Patent Office conducted a “**Training Programme on Intellectual Property Rights to International participants**” which is first of its kind in the history of the Indian Patent Office. The above training programme was held at the Patent Office, Kolkata from 18th to 25th February 2005. This was part of the “**International Training Programme on IPR and its implication on SME's**” conducted by the Ministry of Small Scale Industry and sponsored by the Ministry of External Affairs, Government of India. Sixteen (16) delegates from different countries from the level of Examiners (in patents as well as trademarks), Judges, Attorneys, etc. attended the above programme. Different Controllers, Examiners and leading Patent Attorneys

delivered lectures on that occasion. The study materials were made in such a manner to encompass all the fields of IPR and were well appreciated. The participants were also honored with certificates and mementoes from the office.

A photograph of the participants along with patent office personnels, which was taken in Patent Office, Kolkata premises is given herein:



11. 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 the facilities.

The Technical Library of the Patent Office, Kolkata continued to receive patent specifications of Patent Offices of United Kingdom & Espace of EPO, Australia (Microfiche) and Abstracts of United States of America, Canada, Netherlands, New Zealand, Korea, etc. and Patent Office Journals of different countries. Recently, P.C.T. Journals & pamphlets on DVD and Official Gazettes in CD-ROMs were also received by the Patent Office Library.

At the beginning of the year Library of the Patent Office had 41,659 Books, 28,576

Journals, 12,757 CD's while 7,212 Books, 677 Journals & 1,118 CD's were added in the resource of the library.

About 3,247 persons visited the libraries of the Patent Office, Kolkata and the Patent Office branches at Mumbai, Chennai and New Delhi to study books, 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 were appropriately utilized by the scientists/technologists and concerned personnels.

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.

During the year under report 1,05,811 letters, applications etc. were received in the Patent Office, Kolkata and its branch offices at Mumbai, Chennai and New Delhi and 70,139 letters, etc., were dispatched from the offices.

(S. Chandrasekaran)
Controller General of Patents,
Designs, Trade Marks and
Geographical Indications.

STATEMENT OF STAFF STRENGTH AS ON 31ST MARCH, 2005

Sl. No.	NAME OF POST	CATEGORY	SANCTIONED STRENGTH (REGULAR)						WORKING STRENGTH (REGULAR)						POSTS UNDER MODERNIZATION PROJECT							
			KOL		MUM		CHE		DEL		TOT		KOL		MUM		CHE		DEL		TOT	
			KOL	MUM	CHE	DEL	TOT	KOL	MUM	CHE	DEL	TOT	KOL	MUM	CHE	DEL	TOT	KOL	MUM	CHE	DEL	TOT
1.	Superintendent	Group C	5	3	3	3	14	5	3	3	3	14	-	-	-	-	-	-	-	-	-	
2.	Library Information Assistant	Group C	1	1	1	2	5	1	1	1	1	4	-	-	-	-	-	-	-	-	-	
3.	Hindi Translator	Group C	2	1	1	1	5	2	-	1	1	4	-	-	-	-	-	-	-	-	-	
4.	Photography Assistant	Group C	1	1	1	1	4	1	1	-	1	3	-	-	-	-	-	-	-	-	-	
5.	Assistant	Group C	9	7	5	5	26	9	7	5	5	26	4	-	4	6	14	4	-	4	6	14
6.	Stenographer Grade-I	Group C	-	3	-	-	3	-	3	-	-	3	-	-	-	-	-	-	-	-	-	
7.	Upper Division Clerk	Group C	32	5	4	6	47	32	3	4	5	44	3	-	3	4	10	3	-	3	4	10
8.	Stenographer Grade II	Group C	4	3	1	2	10	4	3	1	2	10	-	-	-	-	-	-	-	-	-	
9.	Stenographer Grade -III	Group C	1	1	1	-	3	1	-	1	-	2	-	-	-	-	-	-	-	-	-	
10.	Lower Division Clerk	Group C	28	8	6	8	50	16	8	6	8	38	2	-	2	4	8	2	-	2	4	8
11.	Hindi Typist	Group C	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-	-	-	
	TOTAL		83	34	23	28	168	71	30	22	26	149	9	-	9	14	32	9	-	9	14	32

**APPLICATIONS FOR PATENT FILED IN
THE YEAR 2004-05 AS AGAINST 2003-04
CLASSIFIED ACCORDING TO COUNTRY / STATE OF ORIGIN**

Country / State / Union Territory	Number of Ordinary Applications		Number of Convention Applications		Number of National Phase Applications	
	2004-05	2003-04	2004-05	2003-04	2004-05	2003-04
1	2	3	4	5	6	7
Maharashtra	1093	921	24	8	170	-
Delhi	935	795			168	
Tamil Nadu	397	330				
West Bengal	131	154				
Gujarat	179	189		1		
Karnataka	216	180				
Kerala	79	88				
Uttar Pradesh	72	126			3	
Haryana	48	45			3	
Andhra Pradesh	254	222				
Madhya Pradesh	45	29	2		1	
Bihar	41	9	9			
Punjab	27	27				
Rajasthan	28	28				
Orissa	12	3				
Assam	6	9				
Goa	2	5				
Pondicherry	8	2				
Himachal Pradesh	8	9				
Jammu & Kashmir		3				
Chandigarh	9	7				
Jharkhand	35	21				
Meghalaya						
Uttarakhand		8				
Union Territory Daman		4				
Chattisgarh	5	4				
TOTAL	3630	3218	26	9	345	-

COMMONWEALTH COUNTRY

1	2	3	4	5	6	7
United Kingdom	29	13	31	19	370	124
Australia	4	7	21	11	280	89
Canada	5	2	43	4	241	28
Ireland				1	21	4
Sri Lanka	1					
New Zealand	2	1	8		32	5
TOTAL	41	23	103	35	944	250

APPENDIX "B" Contd.....
AMERICA

1	2	3	4	5	6	7
U.S.A.	134	226	1078	435	4053	1169
Mexico			3			
Venezuela		1		2		
Brazil	1	6	7	6	22	6
Argentina	1	4	1	1	2	
West Indies		1			1	1
Panama	2		7		1	
Uruguay					2	
B.V. Island	1		4	1	17	14
Burmuda					1	3
Barbados			1		3	
Bahamas						2
Cuba					9	
Costarica						
Belize						
TOTAL	138	238	1101	445	4111	1195

EUROPE

1	2	3	4	5	6	7
Greece						2
Germany	65	92	257	104	1292	540
France	34	15	155	27	671	290
Switzerland	31	34	50	29	383	267
Sweden	1	2	9	2	287	182
Russia				-	9	14
Netherlands	13	11	7	5	520	224
Italy	4	20	34	14	169	101
Hungary				-	13	21
Austria	3	6	11	3	52	26
Belgium	6	1	4	-	64	57
Denmark	2	3	7	4	112	78
Luxembourg		4	6		16	22
Yugoslavia		1	1			-
Norway					55	43
Spain		3			26	20
Finland	4	3		13	121	108
Liechtenstein		1		2	9	6
Iceland	8	1			1	2
Portugal					2	
Cyprus		2				3
Channel Island						1
EP Countries			16		38	1
Turkey					3	4
Czech Republic					5	1
Poland		2		2	1	1
Estonia						1

APPENDIX "B" Contd.....

1	2	3	4	5	6	7
Latvia						1
Romania						1
Slovenia				1	1	
Slovakia						
Monaco						
Ukraine				1	1	
International Bureau						
TOTAL	173	201	565	205	3852	2018

AFRICA

1	2	3	4	5	6	7
South Africa	2	4	3	2	48	12
Swaziland	6		32		149	
Mauritius						
Malta				2		2
TOTAL	8	4	35	4	197	14

ASIA

1	2	3	4	5	6	7
Japan	131	94	365	238	626	219
Republic of China	43	21	40	8	100	17
Korea	155	14	102	50	243	19
Israel	5	4	14	4	133	62
Taiwan	63	23	32	10	10	1
Hong Kong	6	2	4	1	5	-
United Arab Emirates				-	1	-
Thailand	4	4	8	1		-
Malaysia	3	4	10	4	4	1
Singapore	3	2	4	-	30	6
Philippines				-	1	1
Saudi Arabia	1	2		-	6	-
Kazakhstan				1		
Indonesia						1
India	3630		31	4	384	207
Croatia					6	
Uzbekistan						
Egypt						
Mali						
Indonesia						
Kuwait						
Nepal						
Other countries					17	6
TOTAL	4044	170	600	320	1564	540
GRAND TOTAL	4399	3850	2396	1016	10671	7717

**TABLE SHOWING THE NUMBER OF APPLICATIONS FOR PATENT
FROM APPLICANTS FROM INDIA AND ABROAD YEAR-WISE
FROM 1995-96 TO 2004-2005**

Applicants	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
1	2	3	4	5	6	7	8	9	10	11
Indians	1606	1661	1926	2247	2206	2179	2371	2693	3218	3630
Foreigners Resident in India	-	-	-	-	-	-	-	-	-	-
Foreigners Resident in abroad	5430	6901	8229	6707	2349	2160	1870	1723	1678	3165
SUB. TOTAL	7036	8562	10155	8954	4555	4339	4241	4417	4896	6795
National Phase Application Under PCT	-	-	-	-	269	4164	6351	7049	7717	10671
GRAND TOTAL	7036	8562	10155	8954	4824	8503	10592	11466	12613	17466



**STATEMENT GIVING MISCELLANEOUS INFORMATION
RELATING TO PATENT APPLICATIONS FILED DURING THE
PERIOD FROM 1995-96 TO 2004-2005**

Year	No. of Applications filed	Total number of requests made for examination	No. of applications examined	Number 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 the year	No. of applications deemed to have been abandoned due to non-compliance under Sec. 21(1)	Total Number of Patent Sealed/ granted		No. of Patents in force	
								Indian	Foreign	Indian	Foreign
1	2	3	4	5	6	7	8	9	10	11	12
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	945	1524	2075	4331
2004-2005	17466	19001	14813	3286	267	3307	775	764	1147	2200	4657

APPENDIX-"E"

**NUMBER OF PATENT APPLICATIONS FILED DURING LAST FIVE YEARS
FROM 2000-01 TO 2004-2005 UNDER VARIOUS FIELDS OF INVENTIONS**

Year	Chemical	Drug	Food	Electrical	Mechanical	Computer/ Electronics	Biotechnology	General	Total
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
2004-2005	3916	2316	190	1079	3304	2787	1214	2659	17466

* Excluding PCT National Phase Applications

APPENDIX-"F"

**NUMBER OF PATENTS GRANTED DURING LAST FIVE YEARS
FROM 2000-01 TO 2004-2005 UNDER VARIOUS FIELDS OF INVENTIONS**

Year	Chemical	Drug	Food	Electrical	Mechanical	Computer/ Electronics	Biotechnology	General	Total
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	1379
2003-2004	609	419	110	396	539			401	2469
2004-2005	573	192	67	245	414	71	71	278	1911

**PATENT FEES RECEIVED DURING 2004-2005
IN RESPECT OF VARIOUS PROCEEDINGS UNDER
THE PATENTS ACT, 1970 (AS AMENDED) AND PATENTS RULES, 2003 (AS AMENDED)**

Description of Documents etc.	No. of Cases	Fees (Rs.)	Total Amount Received (Rs.)
1.	2.	3.	4.
(1) Application for Patents- U/S 5(2), 7, 54 or 135 and PCT national phase application u/r 20(1) Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	1610 11566 416 3841	750 3,000 1000 4000	1207500 34698000 416000 15364000
(2) Provisional specification for each sheet in addition of 30 Individual Legal entity	176 615	100 400	17600 246000
(3) Complete specification- (i) For each sheet of specification in addition of 30 Individual Legal entity (ii) For each claim in addition to 10 * Individual * Legal entity * W.e.f. 1.1.2005	7730 34621 69396 26414	100 400 200 800	773000 13848400 13879200 21131200
(4) Additional fees for filing conventional application under Sec 135(2) and PCT National phase application u/r 20(1) Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	64 2295 146 849	Multiples of 750 Multiples of 3000 Multiples of 1000 Multiples of 4000	57000 8309000 1289200 7660300
(5) On request for Examination of application for Patent under section 11(B) and rule 24(1) Individual Legal entity * Individual * Legal entity [U/R 24B(1)(i)] Under rule 20(4) (ii) * Individual * Legal entity * W.e.f. 1.1.2005	515 7569 91 1037 1 7	1,000 3,000 2,500 10,000 3,500 14,000	515000 22707000 227500 10370000 3500 98000

1.	2.	3.	4.
(6) (i) On request for extension of time under various proceedings except u/r 138 Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	475 2464 137 142		180750 4922000 57900 559600
(ii) On request for extension of time under sections 24-B(4) (ii) Individual Legal * W.e.f. 1.1.2005			
7 (i) On claim U/S 20(1) Individual Legal entity (ii) On request for direction U/S 20(4) or 20(5) Individual Legal entity	49 904 5 5	500 2,000 500 2,000	25500 1808000 2500 10000
(8) On request for Postponement of Acceptance of Complete specification U/S 22 Individual Legal entity	1 6	500 2,000	500 12000
(9) On notice of opposition to grant of Patent under section 25 Individual Legal entity * Legal entity * W.e.f. 1.1.2005	35 39 12	1,500 5,000 6,000	53500 195000 72000
(10) On giving notice that hearing before Controller will be attended under rule 62(2). Individual Legal entity * Legal entity * W.e.f. 1.1.2005	6 24 6	1,500 5,000 6,000	9000 120000 36000
(11) On application U/S 28(2), 28(3), 28(7) Individual Legal entity	1 41	500 2,000	500 82000
(12) * Request for publication under section 11-A(2) and Rule 23-B Individual Legal entity * W.e.f. 1.1.2005	57 52	2,500 10,000	142500 520000
(13) On request for sealing of a Patent U/S 43 Individual Legal entity	182 1757	1,500 5,000	273000 8785000

1.	2.	3.	4.
(14) On application U/S 44 for amendment of Patent			
Individual		1,500	
Legal entity	2	5,000	10000
* Legal entity	1	6,000	6000
* W.e.f. 1.1.2005			
(15) For renewal of a Patent U/S 53.			
(i) Before the expiration of the 2nd Year from the date of Patent in respect of 3rd Year-			
Individual	120	600	72000
Legal entity	1652	3,200	5286400
* Individual	32	500	16000
* Legal entity	332	2,000	664000
* W.e.f. 1.1.2005			
(ii) Before the expiration of the 3rd Year from the date of Patent in respect of 4th Year-			
Individual	122	600	73200
Legal entity	1645	3,200	5264000
* Individual	31	500	15500
* Legal entity	333	2,000	666000
* W.e.f. 1.1.2005			
(iii) Before the expiration of the 4th Year from the date of Patent in respect of 5th Year-			
Individual	115	600	69000
Legal entity	1639	3,200	5244800
* Individual	32	500	16000
* Legal entity	336	2,000	672000
* W.e.f. 1.1.2005			
(iv) Before the expiration of the 5th Year from the date of Patent in respect of 6th Year-			
Individual	118	600	70800
Legal entity	1611	3,200	5155200
* Individual	28	500	14000
* Legal entity	322	2,000	644000
* W.e.f. 1.1.2005			
(v) Before the expiration of the 6th Year from the date of Patent in respect of 7th Year-			
Individual	119	1,500	178500
Legal entity	1558	4,500	7011000
* Individual	31	1,500	46500
* Legal entity	328	6,000	1968000
* W.e.f. 1.1.2005			
(vi) Before the expiration of the 7th Year from the date of Patent in respect of 8th Year-			
Individual	96	1,500	144000
Legal entity	1494	4,500	6723000
* Individual	19	1,500	28500
* Legal entity	283	6,000	1698000
* W.e.f. 1.1.2005			

1.	2.	3.	4.
(vii) Before the expiration of the 8 th Year from the date of Patent in respect of 9 th Year-			
Individual	95	1,500	142500
Legal entity	1191	4,500	5359000
* Individual	19	1,500	28500
* Legal entity	238	6,000	1428000
* W.e.f. 1.1.2005			
(viii) Before the expiration of the 9 th Year from the date of Patent in respect of 10 th Year-			
Individual	81	1,500	121500
Legal entity	1130	4,500	5085000
* Individual	24	1,500	36000
* Legal entity	229	6,000	1374000
* W.e.f. 1.1.2005			
(ix) Before the expiration of the 10 th Year from the date of Patent in respect of 11 th Year-			
Individual	76	3,500	266000
Legal entity	812	10,000	8120000
* Individual	19	3,000	57000
* Legal entity	315	12,000	3780000
* W.e.f. 1.1.2005			
(x) Before the expiration of the 11 th Year from the date of Patent in respect of 12 th Year-			
Individual	46	3,500	161000
Legal entity	626	10,000	6260000
* Individual	25	3,000	75000
* Legal entity	226	12,000	2712000
* W.e.f. 1.1.2005			
(xi) Before the expiration of the 12 th Year from the date of Patent in respect of 13 th Year-			
Individual	38	3,500	133000
Legal entity	602	10,000	6020000
* Individual	14	3,000	42000
* Legal entity	173	12,000	2076000
* W.e.f. 1.1.2005			
(xii) Before the expiration of the 13 th Year from the date of Patent in respect of 14 th Year-			
Individual	30	3,500	105000
Legal entity	489	10,000	4890000
* Individual	7	3,000	21000
* Legal entity	89	12,000	1068000
* W.e.f. 1.1.2005			
(xiii) Before the expiration of the 14 th Year from the date of Patent in respect of 15 th Year-			
Individual	26	3,500	91000
Legal entity	474	10,000	4740000
* Individual	5	3,000	15000
* Legal entity	142	12,000	1704000
* W.e.f. 1.1.2005			

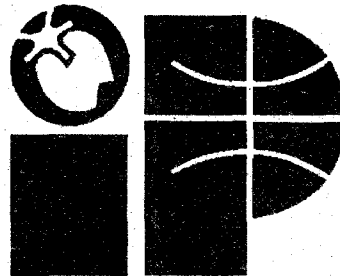
1.	2.	3.	4.
(xiv) Before the expiration of the 15 th Year from the date of Patent in respect of 16 th Year-			
Individual	30	5,000	150000
Legal entity	292	15,000	4380000
* Individual	79	5,000	395000
* Legal entity	71	20,000	1420000
* W.e.f. 1.1.2005			
(xv) Before the expiration of the 16 th Year from the date of Patent in respect of 17 th Year-			
Individual	5	5,000	25000
Legal entity	23	15,000	345000
* Individual	1	5,000	5000
* Legal entity	3	20,000	60000
* W.e.f. 1.1.2005			
(xvi) Before the expiration of the 17 th Year from the date of Patent in respect of 18 th Year-			
Individual	5	5,000	25000
Legal entity	20	15,000	300000
* Individual	1	5,000	5000
* Legal entity	3	20,000	60000
* W.e.f. 1.1.2005			
(xvii) Before the expiration of the 18 th Year from the date of Patent in respect of 19 th Year-			
Individual	4	5,000	20000
Legal entity	20	15,000	300000
* Individual	1	5,000	5000
* W.e.f. 1.1.2005			
(xviii) Before the expiration of the 19 th Year from the date of Patent in respect of 20 th Year-			
Individual	1	5,000	20000
Legal entity	20	15,000	300000
* Individual	1	5,000	50000
* W.e.f. 1.1.2005			
(16) On application for amendment of application for Patent/Complete specification and other documents U/S 57.			
(A) Individual			
(a) Before acceptance	143	700	100100
(b) After acceptance	18	1,000	18000
Legal entity			
(a) Before acceptance	1010	2,500	2525000
(b) After acceptance	96	6,000	576000
(B) Where amendment is for changing name/ address/ nationality /address for service			
Individual	364	200	72800
Legal entity	1399	500	699500
* Legal	382	800	305600

1.	2.	3.	4.
*(C) Before grant of Patent Individual Legal *(D) After grant of patent Individual Legal * W.e.f. 1.1.2005	8 65 1113 76	500 2,000 1,000 4,000	4000 130000 1113000 304000
(17) On application for restoration of a Patent under Section 60 Individual Legal entity * Legal entity * W.e.f. 1.1.2005	7 17 6	1,500 5,000 6,000	10500 85000 36000
(18) Additional fee for restoration Individual Legal entity * Legal entity * W.e.f. 1.1.2005	7 6	3,000 10,000 12,000	21000 60000
(19) Application for registration of a document in the register of Patent under Section 68 Individual (In respect of each patent) Legal entity (In respect of each patent)	2 91	700 3,000	1400 273000
(20) On application for the entry in the register of Patents 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 74(1), 74(2) or 74(3) & Rule 90(1) & 90(2) In respect of each patent. Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	4 89 3 50	700 3,000 1,000 4,000	2800 288000 3000 200000
(21) On application for alteration of an entry in the register of Patents or Register of Patent Agents under rule 94(1) or rule 118 Individual Legal entity * Legal entity * W.e.f. 1.1.2005	76 103 69	200 500 800	152000 51500 55200

1.	2.	3.	4.
<p>(22) On request for entry of an additional address for service in the register of Patents under rule 94(3)</p> <p>Individual 1 700 700</p> <p>Legal entity 1 2,500 2500</p> <p>* Individual 500</p> <p>* Legal entity 2,000</p> <p>* W.e.f. 1.1.2005</p>			
<p>(23) On request for Examination of application for Patent under</p> <p>(A) Section 11(B) and rule 24(1)</p> <p>Individual 1349 1,000 1349000</p> <p>Legal entity 15494 3,000 46482000</p> <p>* Individual 138 2,500 345000</p> <p>* Legal entity under Rule 4B(1)(i) 1891 10,000 18910000</p> <p>(B) Rule 24(4)(ii)</p> <p>* Individual 5 3,500 17500</p> <p>* Legal entity 124 14,000 1736000</p> <p>* W.e.f. 1.1.2005</p>			
<p>(24) On application for registration as a Patent agent under rules 109(1) or 112</p> <p>Individual 159 500 79500</p> <p>* Individual 2,000</p> <p>* W.e.f. 1.1.2005</p>			
<p>(25) On request for appearing in the qualifying examination under rule 109(3)</p> <p>Individual 189 200 37800</p> <p>* Individual 1,000</p> <p>* W.e.f. 1.1.2005</p>			
<p>(26) For registration of a person as a Patent Agent under rule 109 or 112 (before 1.1.05)</p> <p>86 1,500 129000</p>			
<p>(27) (i) For continuance of the name of a person in the register of Patent Agent, for 1st year</p> <p>(ii) Continuation fee for continuation of the name in the Register of Patent Agents</p> <p>587 500 514500</p>			
<p>(28) On request for correction of clerical error Under Section 78(2)</p> <p>Individual 12 500 6000</p> <p>Legal entity 18 1,500 27000</p> <p>* Legal entity 3 2,000 6000</p> <p>* W.e.f. 1.1.2005</p>			

1.	2.	3.	4.
(29) On application for review or setting aside the decisions/ order of the Controller Under Section 77(1) (f) or 77(1) (g) Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	 1 4 63	 700 2,500 1,000 4,000	 700 4000 252000
(30) On application for permission for applying patent outside India under section 39 and rule 71(1) Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	 1 17	 500 1,500 1,000 4,000	 1000 68000
(31) On request for certified copies Under Section 72 or for certificate Under Section 147 and rule 133 Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	 24 216 47 372	 700 2,500 1,000 4,000	 16800 540000 47000 1488000
(32) On request for inspection of register Under Section 72, inspection under rule 27 or rule 38 or rule 74-A Individual Legal entity * Legal entity * W.e.f. 1.1.2005	 519 84 121	 200 500 800	 103800 42000 96800
(33) On request for information Under Section 153 Individual Legal entity * Legal entity * W.e.f. 1.1.2005	 14 19 5	 300 1,000 1,200	 4200 19000 6000
(34) On Petition not otherwise Provided for Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	 568 6072 8418 3419	 1,000 3,000 1,000 4,000	 568000 18216000 8418000 13676000
(35) Or supplying of Xerox copies of the documents Per Page.	49973	4	199892 + 6 USD

1.	2.	3.	4.
(36) Transmittal fee for International Application. Individual Legal entity * Individual * Legal entity * W.e.f. 1.1.2005	77 290 10 48	1,500 5,000 2,000 8,000	115500 1450000 20000 384000
(37) For preparation of certified copy of Priority document and for transmission of the same to the International Bureau. Individual Legal entity * Legal entity * W.e.f. 1.1.2005	70 183 233	1,000 3,000 4,000	70000 549000 933000
(38) On request for grant of exclusive marketing right U/S 24A. Individual Legal entity	2	25,000 75,000	150000
(39) On request for inspection of Register of exclusive marketing right. Individual Legal entity	5 3	200 500	1000 1500
(40) On request for supply of Certified copy of the entry in the Register of exclusive marketing right. Individual Legal entity	14 195	700 2,500	9800 487500
(41) Receipts on Postal Charges	31		1305
(42) Supply of Printed Specification	673		78240
(43) Supply of Annual Report	7		2570
(44) Supply of Gazette Of India			461500
(45) Supply of Official Journal			227850
(46) Miscellaneous receipts			5780850
TOTAL			40,72,54457 + 6 USD



**INTELLECTUAL
PROPERTY INDIA**
PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS

**Annual Report on the administration of the Design Act, 2000
for the year 2004-05**

Contents

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ANNUAL REPORT 2004-2005 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, Trade Marks and Geographical Indication.

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 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.

FEATURES OF THE DESIGNS ACT, 2000

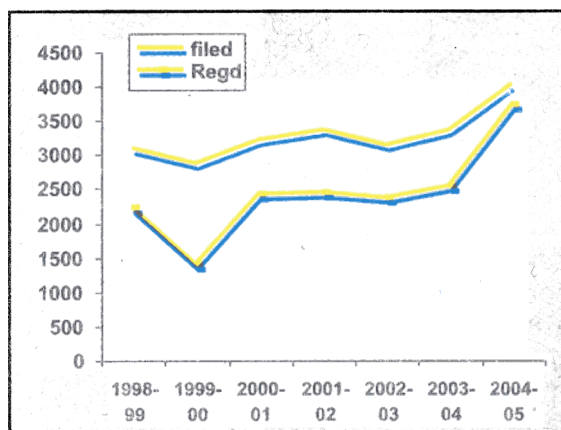
1. Enlarges the scope of definition of the terms "article" & "design" and introduction of definition of the term "original".
2. Amplifies the scope of "prior publication".
3. Introduces provision for delegation of powers of the Controller to other officers and stipulating statutory duties of Examiners.
4. Provides for identification of non-registrable designs.
5. Provides for substitution of applicant before registration of a design.

6. Substitutes Indian classification by internationally followed system of classification.
7. Provides for inclusion of a register maintained on computer as a Register of designs.
8. Provides for restoration of lapsed designs.
9. Provides for appeal against orders 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 at Bouddhik Sampada Bhawan (4th Floor), CP-2, Sector-V, Salt Lake, Kolkata - 91 and the office and a revamped, "modernized work environment has now been created.

The said modernization project is 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.

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.

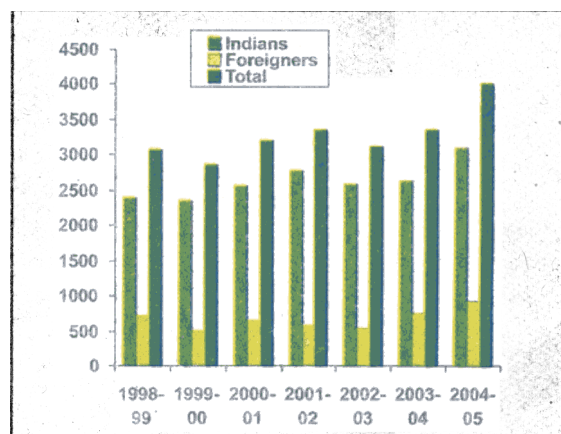


In order to generate awareness about Design related Intellectual Property Rights, a public information programme was taken up and the officers were sent in different workshops / Symposia organized by different agencies. Information brochures were also prepared in collaboration with the National Institute of Designs, Ahmedabad.

APPLICATIONS FILED & DESIGNS REGISTERED

The number of applications for registration of designs filed during the year increased from 3357 in the previous year to 4017. 3093 applications were filed by the applicants in India while the remaining 924 applications were originated abroad. During the year 182 applications were filed for the registration of textile designs.

APPLICATIONS FILED BY INDIAN & FOREIGN NATIONALS



MODERNIZATION PROJECT

Objectives

- Computerization and networking
- 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) Standardized work procedures

In the case of applications originating abroad, 197 applications were received from U.S.A., 158 from Japan, 72 from Netherlands, 71 from Germany, 65 from Korea, 54 from U.K., 42 from Italy, 34 Switzerland, 29 from France, 27 from Canada, 22 each from Australia and Mauritius, 17 from Finland, 13 from Hong Kong, 11 each from Liechtenstein and Thailand, 10 from Brazil, 7 each from Belgium, Sweden and Singapore, 6 from China and Denmark, 4 from Malaysia, 3 each from Spain, Portugal and South Africa, 2 each from Israel, Bulgaria, Nigeria and Norway, 1 each from Egypt, Monaco, Luxemburg, Bahamas and New Zealand. There were 706 applications claiming priority under the reciprocal arrangements between India and other convention countries out of 924 applications which were originated from abroad.

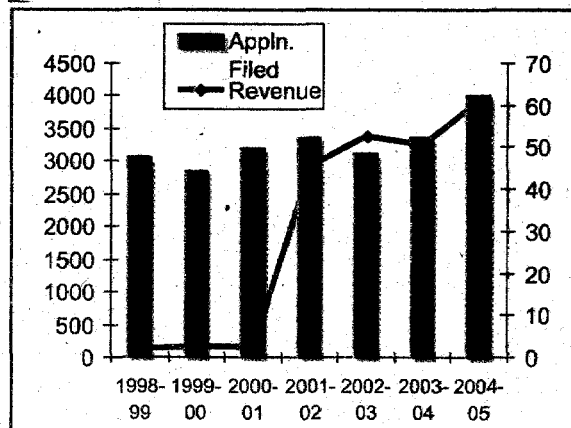
3835 applications were filed for the registration of non-textile designs in 2004-2005. Applications originating in India were 2911 while the remaining 924 applications were filed by overseas applicants in respect of non-textile designs. Applications for registration of designs in the non-textile filed related mostly to commercial, industrial and domestic articles.

EXAMINATION OF DESIGN APPLICATIONS

All the applications filed during the period under report, alongwith 129 pending brought forward from the previous year were taken up for examination during the year. 198 applications were abandoned and refused for registration under the Designs Act and its Rules. The number of designs registered in 2004-2005 were 3728 including applications filed in 2003-2004. Of the designs registered, 3166 applications originated in India and the remaining 562 received from abroad. A total of 220 applications remained pending at the end of the year which were filed in the last part of March'2005.

MISCELLANEOUS PROCEEDINGS

469 applications for extension of copyright in registered designs were received during the year. 11 cases remained pending at the end of the year under review.



During the year 18 applications for restoration of copyright were filed during the year. 6 cases remained pending at the end of the year under review

67 requests for furnishing information regarding existence of copyright in designs were received by the office. The Designs Wing also processed 63 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 35,753 of which 34,658 designs were registered in the names of Indians.

Applications for the cancellation of the registration of 54 designs were made during the year while 84 applications were pending at the end of the previous year. 27 applications out of these 138 cases were disposed of during the year.

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

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

During the year 160 photo copies were supplied and received postal charges in 7 cases. The Register of Designs was inspected 6 times during the year under review.

261 requests for correction of clerical errors in respect of design were filed in 2004-2005. These includes notice for alteration of names and address, and address for service and notice of application under rule 31 etc. All these requests were processed during the year.

During the year 103 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 312 cases, 33 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.

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

1026 requests were received for certified copies under section 17(2), 26 and rule 41. 856 requests were disposed during the year and the rest are in process.

20. request was made during the year for rectification of register of Design under section 31 and disposed. No requests were made for notice of application under rule 40.

No requests were filed for entries of two addresses in the Register of Designs.

REVENUE

The income of the Patent Office during the year 2004-2005 from fees in respect of design applications and other proceedings under the Designs Act, 2000 and Designs Rules, 2001 amounted to **Rs. 64,59,282/-** (Rupees Sixty Four Lakhs Fifty Nine Thousand Two hundred and Eighty Two only).

The branch offices received 339 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, Trade Marks and
Geographical Indications

DESIGNS FEES RECEIVED DURING 2004-2005

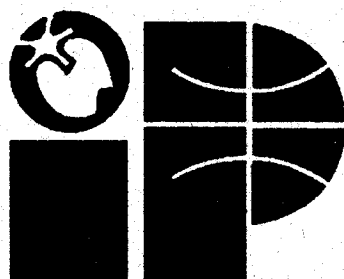
Description of Documents	No.	Fees (Rs.)	Amount (Rs.)
Application for registration of Designs under section 5 & 44 of the Designs Act, 2000.	3678	1000	3678000
[4017 applications filed during the year out of 339 nos of application fees have been received by Branch Offices]			
To proceed as an applicant or Jt. Applicant Sec 8(1)	Balance Fees	-	-
	3	500	1500
	Balance Fees	-	-
Application to extend copyright under section 11(2)	469	2000	938000
	Balance Fees	-	-
Restoration of Lapsed design Sec. 12(2)	18	1000	18000
Addl Fee for Restoration	5	1000	5000
Inspection of Regd. Design Sec. 17(1)	18	500	9000
	Balance Fees	-	-
Design Search, Sec 18 when Design No. supplied	4	500	2000
Design Search, Sec 18 when Design No. not given	63	1000	63000
Design Cancellation, Sec. 19	54	1500	81000
	Balance Fees	-	-
Notice of intended exhibition or publication of un-registered designs Sec 21	3	500	1500
Registration of a document in R/D Assignment Sec. 30(3)	22	500	11000
In respect of one design for each additional design	29	200	5800
Entry of name of proprietor or past proprietor, Sec. 30.	21	500	10500
In respect of one design for each additional design	31	200	6200
Entry for mortgage or license in Register of Design Sec. 30.	1	500	500
In respect of one design for each additional design		200	
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	9	200	1800
Correction of Clerical Error Sec. 29	10	500	5000
Request for Cert. U/s 26 & Rule 41	347	500	173500
Garitified copy of Design Sec. 17(2)	679	500	339500
	Balance Fees	-	-
Request for Rectification of Register of Design Sec. 31	20	500	10000
Petition for extension of time for filing priority documents under rule 15.	626	200	310000
Notice of application under Rule 40.		100	
Notice of intention to attend hearing under rules 29 & 40.	58	500	28000
Request to alter name, address or address for review of the Regt. Prop under Rule 31	251	200	50200
Request for entries of two addresses in the Register of Designs		200	
	Balance Fees	-	-
Supply of Xerox copy of Designs	160	4	640
Petition under Rule 46,47 & 28(9)	733	500	366500
	Balance Fees	-	-
Postal Charges of Design	7	-	635
Inspection of Register of Designs (rule 38)	6	250	1500
Miscellaneous	11	-	707
Fees received by branches for Design applications			6,39,000
Grand Total			Rs. 64,59,282

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
2004-05	4017	3728

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
2004-05	3093	924	3166	562



**INTELLECTUAL
PROPERTY INDIA**
**PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS**

**46th Annual Report under the Trade Marks Law
for the year 2004-05**

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**ANNUAL REPORT FOR THE YEAR 2004-2005
UNDER THE TRADE MARKS LAW**

INTRODUCTION:

The purpose of trade mark legislation is to provide for the registration and better protection of trade mark for goods and services and for the prevention of the use of fraudulent marks in the country. The registration of a trade mark confers certain statutory rights on the registered Proprietor which enables him to sue for infringement of the trade mark 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 administers the Trade Marks Act, 1999 and the rules framed thereunder. 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 particularly trade marks in the country, the role of Trade Marks Registry has progressively increased. It is now possible to seek registration in respect of Trade marks for goods as well as services. This role has further expand with the introduction of protection of well known trade marks for goods and services. Further, the Registry is also entrusted with the responsibility to closely follow at the international level the deliberations of 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 field of IPR.

BOX 1: OPERATIONAL HIGHLIGHTS

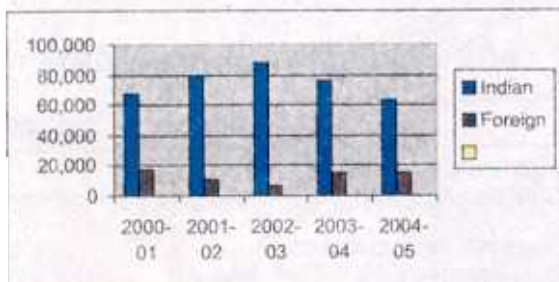
	2003-04	2004-05
Applications filed For Registration	92,251	78,996
Number of Application advertised in the Trade Marks Journal	209,587	147,490
Number of trade marks registered	39,762	45,015
No. of marks in respect of which registration was renewed	17,187	11,173
Request for search	284,197	117,344
Request for preliminary advice regarding distinctiveness	158	49
Certificates issued under Section 45(1) of the Copyright Act of 1983	7,473	2,240
TOTAL INCOME	27,06,75,959	37,94,85,262

The number of trade marks application filed for registration of trademarks in India during the year under report 78,996 as compared to 92,251 applications filed in 2003-04. While the number of applications filed by Indians were 63,906 the corresponding figures for applications originating from applicant's abroad decreased from 15,450 applications in 2003-04 to 15,090 applications in 2004-05.

TOTAL NO OF APPLICATIONS FILED FROM 2000-01 TO 2004-05

Year	Indian Applicants	Foreign Applicants	Total
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
2004-05	63,906	15,090	78,996

TREND OF APPLICATIONS FILED 2000-01 TO 2004-05



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. 15.92%; followed by Class 30 (coffee, tea, cocoa etc.) 6.70%; Class 25 (Clothing including boots, shoes and slippers 5.18%; Class 3 (perfumery, cosmetics etc.) 4.77%, Class 16 (paper and paper articles etc) 4.09%;

A statement showing the class wise distribution of the applications is given in the **APPENDIX 'A'**

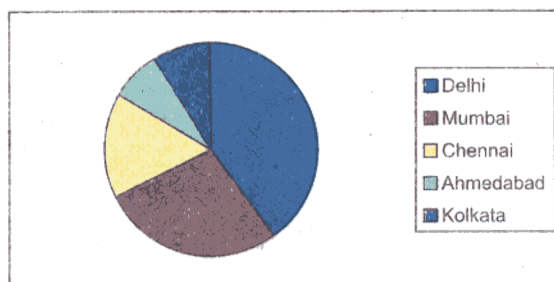
BOX 2: TRENDS IN APPLICATIONS FILED FOR DIFFERENT TYPES OF TRADE MARKS

	2003-04	2004-05
Word Marks	75,428	53,653
Device Marks	14,850	24,551
Number Mark	70	115
Letter Marks	583	519
Letter And Numeral Combination Mark	1,310	158
TOTAL	92,251	78,996

In comparative terms there was a decrease of 13,255 number of applications over the previous year.

The volume of work has increased considerably. The total number of official search requests on form TM-54 were 1,17,344 during the year under report.

The maximum number of applications were filed at Delhi branch of the Registry (31,363) followed by the Trade Marks Registry Mumbai (22,040), Chennai (12,604), Ahmedabad 5,965 and Kolkata 7,024



During the year 16,016 number of applications were filed for service trade marks which falls between class 35 to 42 as per the International Classification. All the application so received has been duly examined and is under process.

TRADE MARK APPLICATIONS FILING TREND BRANCH WISE IN 2004-05

During the year, the Registry received 1,17,344 requests for official searches of trade marks under the rules as against 2,84,197 requests received in the preceding year. All 1,17,344 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 49 as against 158 in the preceding year. The Registry disposed of all 49 such requests.

1,47,490 Applications for registration of trade marks were advertised in the Trade Marks Journal compared with 2,09,587 during the

preceding year. The Trade Marks Registry discontinued the paper publication of the Journal during the year and made available to interested subscriber the electronic version of the Journal in CD-Rom. The Registrar of Trade Marks has published nearly all pending application which were due for publication and achieved the zero pendency in publication section. The trade marks published in the Trade Marks Journal in the preceding five years is given in Annex 1A.

The Registry also undertook legal proceedings, which were primarily opposition and rectification proceeding under the Act and rules. A total 12,720 Notices of Opposition were received to registration of trade marks and 120 applications received for rectification. Out of these 4245 Notices of Opposition and 56 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, 3,547 hearings were posted in respect of opposition, rectification and interlocutory petitions and 1,53,297 show cause hearings were posted in respect of applications for registration of trade marks. Of this 1,671 opposition, rectification and interlocutory petitions and 1,35,871 show cause hearings 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 'B'

39 Appeals against orders of the Registrar and Hearing Officers were filed before the Intellectual Property Appellate Board located at Chennai.

10 complaints under section 107 regarding false representation of trade marks as registered were received during the year under report. Out of this 01 case has been disposed while the remaining are under enquiry.

REGISTRATION

During 2004-05, the number of trade marks registered was 45,015 as against 39,762 during the preceding year. Class wise statement of the number of marks registered during the year is given in Appendix 'C'.

The number of registered trade marks renewed during the year was 11,173 while 02 marks was removed from the register on account of non-payment of renewal fee. Assignment of 1745 trade marks with or without goodwill of business were recorded in register. During 2004-05, 3,585 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 5,330.

Further, 2,507 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), 1,021 certificates were issued for registration of artistic work as copyright during the year.

REVENUE AND EXPENDITURE

The income of the Trade Marks Registry during 2004-05 was **Rs. 37,94,85,262/-** as against **Rs. 27,06,75,959/-** during the previous year. The expenditure for this year was **Rs. 4,58,29,015/-** as against **Rs. 4,49,46,640/-** during the previous year.

GENERAL

STAFF

The Trade Marks Registry has a sanctioned staff strength of 293. This includes 27 posts of Examiners on contract basis sanctioned in 2002 for strengthening the Registry as part of the administrative support for the office. Details of sanctioned posts and actual work-

ing strength as on 31st March 2005 is indicated in Appendix 'E'. There are 32 Group 'A' Posts and 57 Group 'B' Posts, 142 Group 'C' Posts and 62 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 4,35,005 letters were received and 2,63,528 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 18,831.

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 provided protection to goods, the Trade

Marks Act, 1999 replaces it 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. The subordinate legislation of the Trade Marks Rules, 2002 is in force since 15-09-2003 along with the Trade Marks Act, 1999.

BOX 3 : MAIN FEATURES OF THE TRADE MARKS ACT, 1999

- Inclusion of services in the definition of trade mark
- Provision for registration of collective mark
- Establishment of 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 certain provisions of the trade marks law with copyright law
- Provisions for establishment of an Appellate Board

MODERNIZATION PROJECT TO UPGRADE REGISTRY

To strengthen the infrastructure of the Trade Marks Registry, Government had approved

a Project under the IXth 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 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) Digitisation of Trade Marks records.;
- (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.

- (vi) To find a total IT solution for the Registry and establish a paperless office in the country.

The Registry is currently working on a total IT solution to establish a paperless office and for which a tender process under two bid system has been initiated. Also, the digitisation of all 1.4 million Trade Marks Records is under way.

In order to provide outreach services through the electronic media, the Trade Marks Registry has tied up with the National Informatic Centre (NIC) to host its Website www.ipindia.nic.in which provides valuable information to the users. 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.

A schematic flow chart for processing a Trade Mark application is given in Annex 'F'.

(S. Chandrasekaran)

Controller General of Patents,
Designs, Trade Marks and
Geographical Indications

**STATEMENT SHOWING CLASS-WISE DISTRIBUTION OF APPLICATIONS FOR
REGISTRATION OF TRADE MARKS FOR THE YEAR 2004-05**

Class as per the IVth Schedule TMR, 2002	GOODS	Number of applications filed
1	Chemical products used in industry, science, photography, agriculture, horticulture, forestry, manures etc.	1533
2	Paints and Varnishes	724
3	Perfumery, cosmetics etc.	3770
4	Industrial Oil and Greases (Other than edible Oil) etc.	471
5	Medicinal, Pharmaceuticals, Veterinary and Sanitary substances etc.	12582
6	Un-Wrought and partly-wrought common metal and their alloys etc.	1298
7	Machines and Mechanic Tools, Motors, etc.	2625
8	Hand Tools and Instruments etc.	443
9	Scientific, Nautical, Surveying and Electrical apparatus etc.	5761
10	Surgical, Medical, Dental And Veterinary Instruments, apparatus etc.	945
11	Installation for Lighting, Heating etc.	1943
12	Vehicles and their parts, apparatus, Locomotion by land, air & water	1899
13	Fire arms, ammunition and projectiles, etc.	139
14	Precious metals and their alloys, etc.	1315
15	Musical instruments (other than talking machines and wireless apparatus)	100
16	Paper and Paper Articles, Stationery, Printed Matters etc.	3237
17	Gutta Percha, India Rubber etc.	982
18	Leather and Imitation of Leather etc	684
19	Building Materials etc.	1619
20	Furniture, Mirrors etc.	783
21	Small Domestic Utensils etc.	990
22	Ropes, Strings etc.	189
23	Yarns and threads	252
24	Tissues (Piece goods) etc	1367
25	Clothing including Boots, Shoes and Slippers	4094
26	Laces and embroidery, Ribbons and braids etc.	325
27	Carpets, rugs, mats etc.	192
28	Games and Playthings etc.	691
29	Meat, Fish, Poultry etc.	1781
30	Coffee, Tea, Cocoa etc.	5296
31	Agricultural, Horticultural and Forestry Products and Grains not included in other classes	1477
32	Beer, Ale and Port, Mineral and Aerated Waters and Other Non-Alcoholic drinks not included in other Classes	1197
33	Wines, Spirits and Liqueurs	658
34	Tobacco, Raw or Manufactured, Smokers Articles, Matches.	1618
35	Advertising, business management, business administration, office functions	2999
36	Insurance, financial affairs; monetary affairs, real estate affairs	1272
37	Building construction; repairs; installation services	1232
38	Telecommunications	920
39	Transport, packaging and storage of goods; travel arrangement	1062
40	Treatment of materials	343
41	Education; providing of training, entertainment; sporting and cultural activities	3150
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	5038
TOTAL		78996

APPENDIX "B"
**LEGAL PROCESSES (OPPOSITIONS/RECTIFICATION/INTERLOCUTORY
PETITIONS AND HEARINGS FOR THE YEAR 2004-05**

Sl. No.	Place of Hearing	Oppositions/Rectifications Interlocutory Petitions	Application Hearing	TOTAL
1	Mumbai	1188	112870	114058
2	Kolkata	131	2755	2886
3	Chennai	619	13842	14461
4	Delhi	977	9438	10415
5	Ahmedabad	632	14392	15024
TOTAL		3547	153297	156844

**TRADE MARKS REGISTERED BY CLASS IN
PART "A" OF THE REGISTER FOR THE YEAR 2004-05**

CLASS	TOTAL
1	1069
2	0459
3	1708
4	0318
5	13339
6	1030
7	1988
8	0444
9	2653
10	0587
11	1451
12	2037
13	0138
14	0664
15	0157
16	2322
17	0881
18	0399
19	0735
20	0343
21	0731
22	0178
23	0227
24	0930
25	3017
26	0200
27	0162
28	0347
29	0962
30	2486
31	0963
32	0773
33	0572
34	0745
TOTAL	45015

APPENDIX "D"

**DETAILS OF POST REGISTRATION PROCESS FROM
FOR THE YEAR 2004-05**

Entries made in the Register

1. Assignments	1745
2. Alterations made for Names, business address and address for service	3498
3. Marks altered	09
4. Cancellation of marks	69
5. Rectification	Nil
6. Specification of goods amended	03
7. Corrections	06

Notification in Trade Marks Journal

1. Assignment and Transmissions	1745
2. Alterations of names and business addresses	3498
3. Marks altered	09
4. Rectification	Nil
5. Correction	06
6. Cancellation of marks	69
7. Specification of goods amended	03

APPENDIX "E"

DETAILS OF STAFF STRENGTH AS ON 31ST MARCH 2005

	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. Joint Registrar of Trade Marks	1	-	1	1	-	3	1	1				2
2. Deputy Registrar of Trade Marks	2	1	1	1	-	5	-	1	-	-	-	1
3. Assistant Registrar of Trade Marks	5	1	1	1	1	9	3	-	1	2	1	7
4. Senior Examiner of Trade marks	8	1	1	1	-	11	4	-	1	-	2	7
5. Principal System Analyst	1	-	-	-	-	1	-					-
6. Senior System Analyst	1	-	-	-	-	1	1	-	-	-	-	1
7. System Analyst	2	-	-	-	-	2	2	-	-	-	-	2
Total	20	3	4	4	1	32	11	2	2	2	3	20
GROUP 'B' (GAZETTED)												
1. Examiner of Trade Marks	27(*)	1	1	1	1	27(*)	05(*)	-	-	1(*)	1(*)	07(*)
						24	13	2	1	2	1	19
2. Administrative Officer	1					1	1					1
3. Public Relation Officer	1					1	-	-	-	-	-	-
4. Sr. Librarian	1					1	-					-
5. Personal Asstt.	2					2	-					-
6. Hindi Officer	1					1	-					-
TOTAL	53	1	1	1	1	57	19	2	1	3	2	27

APPENDIX "E" Contd...

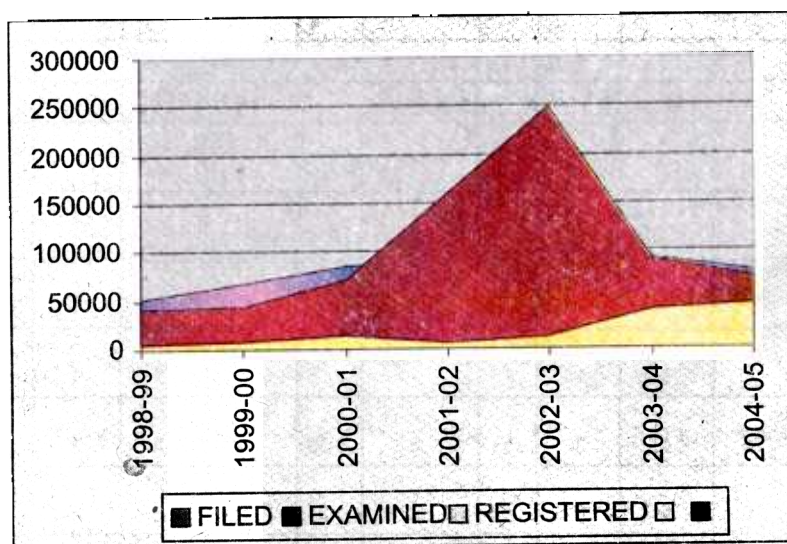
	SANCTIONED STRENGTH						WORKING STRENGTH					
	HEAD OFFICE	BRANCHES					HEAD OFFICE	BRANCHES				
	MUMBAI	KOLKATA	CHENNAI	DELHI	AHMEDABAD	TOTAL	MUMBAI	KOLKATA	CHENNAI	DELHI	AHMEDABAD	TOTAL
GROUP 'C' (GAZETTED)												
1. Superintendent	4		1	1		6	1	-	-	1		2
2. Asstt. Superintendent	7	1	1	1	1	11	7	1	1	1	1	11
3. Asstt. Examiner	14	2	2	2	1	21	10	1	2	3	1	17
4. Jr. Hindi Translator	2					2	2					2
5. Cashier	1	1	1	1	-	4	1	1	1	1	-	4
6. Librarian	1					1	1					1
7. Photography Asstt.	1					1	1					1
8. Stenographer Gr.I	2		1			3	2	-	1	-		3
9. Stenographer Gr.II	3	1	1	1	1	7	2	1	1	1	1	6
10. Stenographer Gr.III	-	1	1	1	-	3	-	1	1	1	-	3
11. Upper Division Clerk	24	4	3	5	3	39	24	4	3	5	3	39
12. Lower Division Clerk	20	5	6	1	2	34	17	5	6	1	2	31
13. Hindi Typist	1					1	-					-
14. Data Entr Operator Gr.'B'	3					3	3					3
15. Data Entry Operator Gr.'A'	2	1	1	1	1	6	2	1	1	1	1	6
Total	85	16	18	14	09	142	73	15	17	15	09	129
1. Record Keeper	2	1	1	1		5	2	1	1	1		5
2. Gestatner Operator	1					1	1					1
3. Daftary	8	3	2	2	1	16	8	3	2	2	1	16
4. Peons	17	3	3	3	2	28	16	3	3	3	2	27
5. Farash-Safaiwala	2	1	1	1	1	6	2	1	1	1	1	6
6. Chowkidar	2	1	1	1	1	6	2	1	1	1	1	6
TOTAL	32	9	8	8	5	62	31	9	8	8	5	61
A, B, C & D GRAND TOTAL	190	29	31	27	16	293	135	28	28	28	19	238

*Appointed 27 Examiners on Contract basis w.e.f. 1.03.200

RECENT TRENDS IN TRADE MARKS APPLICATIONS

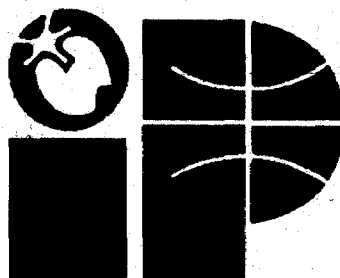
	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
FILED	51704	66378	84275	90236	94120	92251	78996
EXAMINED	42104	42500	70115	159735	249003	89958	72091
REGISTERED	5300	8010	14202	6204	11190	39762	45015

GRAPH FOR RECENT TRENDS IN TRADE MARKS APPLICATIONS



ANNEX 1A

SL. NO.	YEAR	NO. OF TRADE MARKS PUBLISHED IN THE JOURNAL
1.	2004-2005	1,47,490
2.	2003-2004	2,09,587
3.	2002-2003	52,110
4.	2001-2002	8,950
5.	2000-2001	13,350



**INTELLECTUAL
PROPERTY INDIA**
**PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS**

**3rd Annual Report of Geographical Indications Registry
for the year 2004-05**

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**ANNUAL REPORT OF GEOGRAPHICAL INDICATIONS REGISTRY
FOR THE YEAR 2004-05**

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:

- I. Better protection of intellectual property inherent in geographical indications;
- II. Giving impetus to Indian exports of goods bearing geographical indications;
- III. Meeting the country's obligations regarding protection of geographical indications under the TRIPS Agreement.

Since the implementation of the G.I Act, the Geographical Indications Registry has received 35 Applications upto 31st March 2005, out of which 16 Applications have been accepted by the Consultative Group and 11 GI Applications have been advertised in the GI Journal during the year 2004-2005. Four GI Applications have been Registered during the year and one opposition has been filed. G.I Applications have been advertised in the GI Status information is enclosed as **ANNEX-I**. Details of Staff of Geographical Indications Registry is enclosed as **ANNEX-II**.

Modernization of Geographical Indications Registry under Plan is in progress. The three main objectives envisaged under Plan are the following:

- I. Development of Information Technology Application System.
- II. Promotion of registration of Indian Geographical Indications by holding

awareness programmes/seminars.

- III. Development of Documentation and Library.

I. DEVELOPMENT OF INFORMATION TECHNOLOGY APPLICATION SYSTEM:

This activity involves

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

The C-DAC Bangalore was identified to develop the Software of Geographical Indications Registry to facilitate Online Search, E-Commerce, Electronic Fee Transfer Facility leading to a paper less office. The System Study has been completed and Software Development Activity is in its final stage. A Project Steering Committee was constituted by the Registrar of Geographical Indications to monitor the various activities which included a nominee from the Ministry. Six Project Steering Committee Meetings were held during the year. The Hardware and other Peripheral equipments which are essential for installation and commissioning of the Software has been procured to the tune of Rs.10,45,512/-.

II. PROMOTION OF REGISTRATION OF INDIAN GEOGRAPHICAL INDICATIONS BY HOLDING AWARENESS PROGRAMMES/ SEMINARS:

Steps have been taken to create awareness throughout India in a phased manner during

the entire plan period and to promote registration of the Indian GIs in the rural area thereby to improve the income of the agriculturists. The focus would be on coir, handlooms, power looms, garments, rubber, cashew, handi-crafts, food processing, sericulture, wool development, leather, pottery, other cottage industries, agriculture, horticulture, aquaculture, floriculture, dairying, agro-processing, textile industry and jute industry.

Keeping in mind the above purpose, the Geographical Indications Registry sensitization workshops have been conducted in major cities, individually by Geographical Indications Registry in 6 centres, in co-ordination with Confederation of Indian Indus-

tries in 3 Centres and in association with external agencies in 9 centres.

III. DEVELOPMENT OF DOCUMENTATION AND LIBRARY:

The Registry has purchased books and journals worth **Rs.9.87** lakhs to strengthen the library and benefit Examiners, Hearing Officers and the Expert Group.

(S. Chandrasekaran)
Controller General of Patents,
Designs, Trade Marks and
Geographical Indications

ANNEXURE-I
G.I APPLICATIONS STATUS

Items	Total No. of Applications Filed	Consultative Recommendations made	Group Activity in Progress Reports issued GI	Total No. of Examination Advertised in Journal*	Total No. of Application Registered	Total No. of Applications Seminars Conducted	Awareness Programme/ Training/ Workshop/
Textile and Textile Goods	16	16	19	16	11	4	18
Tea	3						
Handicraft Items	3						
Horticulture Products	3						
Rice	2						
Others	8						
TOTAL	35						

* It is a Statutory bi-monthly Journal, 5 issues have been published

ANNEXURE-II

**DETAILS OF STAFF STRENGTH OF
GEOGRAPHICAL INDICATIONS REGISTRY, CHENNAI**

Group – A

1. Senior Joint Registrar	1
2. Assistant Registrar of Geographical Indications	1
3. Senior Examiner of Geographical Indications	1

Group – B

—

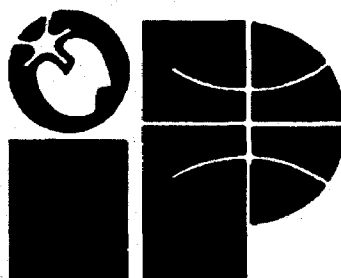
Group – C

4. Stenographer	1
5. Lower Division Clerk	1

Group – D

6. Peon	1
---------	---

TOTAL : 6



**INTELLECTUAL
PROPERTY INDIA
PATENTS/DESIGNS/TRADE MARKS/
GEOGRAPHICAL INDICATIONS**

**2nd Annual Report of the Patent Information System and Intellectual
Property Training Institute, Nagpur for the year 2004-05**

Contents

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**ANNUAL REPORT OF PATENT INFORMATION SYSTEM AND
INTELLECTUAL PROPERTY TRAINING INSTITUTE, NAGPUR
FOR THE FINANCIAL YEAR 2004-2005.**

PATENT INFORMATION SYSTEM, NAGPUR

INTRODUCTION:

The office of the Patent Information System was established in 1980 in the city Nagpur, which is the geographical center of the country.

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, government offices, industries, business man, inventors and other users within India.

SERVICES OF PIS, NAGPUR

A. PATENT SEARCH SERVICES

Office of PIS has updated patent search services on demand with effect from 22 October, 2002. In brief following are the search services.

1. State of Art Search

This service provides bibliographic data and abstract of patent document retrieved under particular field of technology as requested by the user.

2. Bibliographic Search

This search provides only bibliographic data of patent documents retrieved.

3. Patent Watch Service

This search provides update of specific technology of patent activity every month.

4. Patent family search/ English equivalent Patent Search

This service provides global picture of protected invention and also provides English language equivalent of the desired patent.

5. Legal status search

This search provides the legal status of the particular patent in India on a given date.

6. Technological monographs.

This service identifies different aspects of a given activity in a particular technical field

7. Patentability search (Excluding Novelty)

By this search user can determine whether a patent application should be filed.

8. Patent infringement Search

This search helps the user in devising strategy for avoiding the risk of infringement.

9. Patent validity Search

This search identify the document likely to have a bearing and validity of a patent granted.

10. Novelty Search

This search determines the novelty of invention for which the patent protection is sought.

11. Technical consultancy for R & D organization of Industry

This service can provide assessment of the requirement of particular orga-

nization to solve their specific technical problem.

B. PATENT COPY SUPPLY SERVICE

1. PIS, Nagpur is providing the full text of patent documents of foreign countries at the rate of Rs. 300/- per patent document (irrespective of page) available in the PIS, Nagpur.
2. Patent documents of a particular country which are not available in PIS Nagpur, are procured from WIPO, Geneva, on demand @ Rs.30/-.
3. Xerox copy of Indian patent specifications are provided at the rate of Rs. 30/- + Rs. 4/- per page.

During the period from 1st April 2004 to 31st March 2005 PIS supplied copies of 611 patent specifications and conducted 161 patent searches. The expenditure incurred upto 31st March 2005 is **Rs. 50,78,229/-** and the revenue earned during this period is **Rs. 96,275/-**.

INTELLECTUAL PROPERTY TRAINING INSTITUTE, NAGPUR

Intellectual Property Rights like patents, designs, trademarks play an important role in the international trade and commerce and also in industrial, economical and social development of a nation. India has been evolved for regulating grant and exploitation of Intellectual Property Rights. As a result, IPR-related activities have been on continuous increase in our country for the last several years.

The laws governing intellectual property rights are necessarily techno-legal matters. Many complex issues are involved in cre-

ation, utilization and meaningful exploitation of Intellectual Rights. As such, there is a need for an effective means for improvement in knowledge.

Intellectual Property Training Institute has been set up at Patent Information System, Nagpur by Ministry of Commerce & Industry, Government of India in Aug 2002. It is a National Training Center, the only one of its kind in our country, created for catering to the need of providing quality Training and Education in IPRs to various User-Groups so as to enable them to develop I.P system.

OBJECTIVES:

The primary objective of Intellectual Property Training Institute therefore is to facilitate creation, use, exploitation of Intellectual Property and monitoring the working of Intellectual Property system.

TRAINING PROGRAMMES:

The Intellectual Property Training Institute, Nagpur conducts number of training programmes on Intellectual Property Rights, Patents, Designs and Trade Marks, keeping in view the requirements of actual and potential users of patents and other intellectual property rights systems. The beneficiaries are business professionals, Law professionals & prospective patent/IPR agents, scientific/technical/R&D organizations engaged in research, Managers and technocrats in industries, Small and medium Entrepreneurs, University professionals, Central and State Govt./Public sector professionals, individual inventors and interested public.

Training courses are mainly categorized into following sections with emphasis on patent system in 1 to 5 days duration training courses.

TRAINING PROGRAMME FOR EXAMINERS OF PATENTS AND DESIGNS

This courses aim to improve the legal and technical ability of examiners and to enhance the qualitative level of the examination.

5-DAYS TRAINING PROGRAMME FOR PUBLIC

The course aims to offer to officials of middle management level comprehensive theoretical as well as practical knowledge concerning industrial property.

Course fee for this programme is Rs.1250/-

3-DAY TRAINING PROGRAMME

These courses aim to offer to officials in related to ministries background knowledge and perspectives on intellectual properties and specifically on patent system.

Course fee for this programme is Rs 750/-

2-DAY TRAINING PROGRAMME

Condensed courses for all the above-mentioned users groups are provided.

Course fee for this programme is Rs 500/-

1-DAY TRAINING PROGRAMME

These courses aims to offer preliminary knowledge on intellectual properties, patent information basics to Educational Institutions, University Teachers, Research Students, Inventors and Members of public.

Course fee for this programme is Rs 150/-

FACULTIES:

The Faculties for Training Courses are Experts in Intellectual Property Rights from Patent Office & Trade Marks Registry and also from well-known Organizations in the country.

Intellectual Property Training Institute has conducted 18 training programmes during the year 2004-2005 and has generated income of **Rs. 1,61,050/-** against the plan expenditure of **Rs. 5,32,862/-**

Officers and staff strength and Performance statement of PIS and IPTI for the year 2004-2005 are attached herewith as **APPENDIX-I & II** respectively.

(S. Chandrasekaran)

Controller General of Patents,
Designs, Trade Marks and
Geographical Indications

APPENDIX-I

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	—
2.	Senior Documentation Officer	2	2
3.	Senior Programmer	1	1
4.	Reprography Officer	1	1
TOTAL		5	4
NON GAZETTED			
1.	Office Superintendent	1	1
2.	Senior Documentation Assistant	1	1
4.	Junior Documentation Assistant	1	1
6.	Junior Reprography Assistant	3	3
8.	Assistant Superintendent	1	1
9.	Store Assistant	1	1
10.	Stenographer	2	2
11.	Junior Hindi Translator	1	—
12.	Assistant	1	1
13.	Upper Division Clerk	4	4
14.	Receptionist	1	1
15.	Lower Division Clerk	4	4 (1 post on deputation)
16.	Hindi Typist	1	1
17.	Data Entry Operator	2	2
18.	Daftry	2	2
19.	Peon	4	4
20.	Farash	1	1
TOTAL		31	29
TOTAL OF GAZETTED & NON-GAZETTED		36	33

APPENDIX-II

FINANCIAL STATEMENT AND PERFORMANCE OF THE OFFICE OF THE PATENT INFORMATION
SYSTEM & INTELLECTUAL PROPERTY TRAINING INSTITUTE, NAGPUR FOR THE YEAR 2004-05.

1.	Actual expenditure	(a) PIS (non-plan) (b) IPTI (plan)	Rs. 50,78,229/- Rs. 5,32,862/-
2.	Revenue towards	(a) PIS (b) IPTI	Rs. 96,275/- Rs. 1,61,050/-
3.	Supply of Patent copies		611
4.	Patent searches of various types		161
5.	Data Entry for Indian Patent		1680
6.	Preparation of study material for IPTI training programmes		215
7.	No. of training programmes conducted		18