

SUMMARY OF MAJOR STEPS UNDERTAKEN & ACHIEVEMENTS

The Government has undertaken several initiatives to Government to develop a strong Intellectual Property Rights (IPR) regime and protect India's Intellectual property assets. Details of the major steps implemented by the Office of the GPDTM in the past decade are as follows:

1. Amendments in Rules

Over the past decade, IP Rules have been amended several times to streamline and simplify the processing of IP applications, eliminate irregularities and bottlenecks, enhance the use of IT and digital technologies, and extend benefits to sectors critical to the Indian economy. Key changes include:

a) Significant fee concessions have been provided to sectors critical to the Indian economy to reduce the financial burden of intellectual property protection, encourage innovation, and support brand building among startups and MSMEs.

- 80% fee concession is granted to Startups, MSMEs, and Educational Institutes for patent filing, prosecution, and maintenance
- Similarly, Startups and MSMEs receive fee concessions of 75% for Designs and 50% for Trade Marks
- Application filing and renewal fees for Authorized Users of Geographical Indications (GIs) have been reduced to Rs. 10.

b) **Provisions for Expedited Processing of IP applications have been introduced**

- Expedited Patent Examination for Eligible Entities: Startups, MSMEs, Female Applicants, Government Institutions, Departments, PSUs, and Applicants Designating India as an Authority for International Applications
- Facility of Expedited Trade Mark Processing for all applicants

c) **IP Processes have been streamlined**

i. Patents

- Timelines have been fixed and streamlined
- Electronic submission of documents by patent agents has been mandatory.
- 10% less fees for online filing of application and documents

- Requirements for filing priority documents and Form 27 (statement on the working of patents) have been simplified.

ii. Trade Marks

- Processing of Trade Mark applications has been simplified and streamlined.
- 74 forms have been replaced with 8 consolidated forms.
- Process for determination of well-known mark has been laid out.
- Express provision for filing applications for sound marks has been provided.
- Procedures relating to registration as Registered User of trademarks have been simplified.

iii. Designs: Processing of design applications has been streamlined. International classification under Locarno Agreement has been adopted.

iv. Copyrights:

- Compliance requirements for the registration of software have been reduced.
- Functioning of copyright societies has been made more accountable and transparent.

v. Geographical Indication: Procedure for registration of Authorized User has been simplified.

d) Patents (Amendment) Rules, 2024: Recently, in a yet another significant push towards the vision ‘Viksit Bharat’, the Patents Rules, 2003 have been amended to further simplify and streamline the patent procedure and create a conducive environment for innovation and protection of Intellectual Property (IP) in India. The amendment includes:

- The time to submit request for examination has been reduced to 31 months from 48 months to fast-track the patent examination process.

- Frequency to file ‘working statements of patents’ has been reduced from once in a year to once in every three years to lessen the administrative burden and compliance costs on the applicants.
- The requirements and timelines for providing foreign filing details have been streamlined to simplify the patent application process, further reducing processing requirements and costs.
- The procedure for filing and resolving pre-grant representations has been amended to curb frivolous opposition filings and promote genuine submissions. The amended pre-grant opposition procedure now requires a prima facie case for the opposition to proceed. Provisions for expedited examination are extended to applications with pre-grant opposition(s) to compensate for delays arising from pre-grant proceedings and ensure faster resolution of such cases.
- Provisions for claiming benefits of Grace Period have been streamlined by incorporating a new form to make it easier for applicants to claim benefits of the grace period.
- ‘Certificate of Inventorship’ has been introduced to enhance patenting ecosystem in India by formally recognizing efforts of the inventors in the patented inventions.
- 10% reduction in the official fee for patent renewal is available if the fees for at least four years are paid in advance through electronic mode.

2. Modernization of IP offices and use of Advanced Technologies

IP Offices have been digitized and made online to make the system more compact, time bound, transparent and easier to use by applicants as well as Examiners and Registrars/ Controllers. Major initiatives taken in this regard are as under:

- a) The IP website has been redesigned to improve contents and ease of access and make it more interactive, informative and easy to navigate. IP data on real-time basis has been made available on the website in respect of filing and processing of IP applications. The website provides login-free Search facility for hassle-free dissemination of IP information to stakeholders.

b) Complete digitization of Patent & Trade Mark offices:

- 24*7 Comprehensive E-filing systems are provided.
- All communications are made through Emails
- SMS alert facility
- Hearings are done through video-conferencing
- Certificates of grant of patents are delivered online.

As a result, applicants no longer need to visit the IP office, with more than 95% of Patent and Trademark applications now filed online.

- c) **AI-powered Trademark Search Technology:** Artificial Intelligence (AI) and Machine Learning (ML) based Trademark Search Technology has been introduced for a more efficient and accurate examination and faster disposal of Trade Mark applications.
- d) **IP Sarthi Chatbot:** A digital assistant has been designed to provide instant support and guidance to users navigating the IP registration processes.

3. Manpower Augmentation

- a) Sanctioned strength of the Patent Office has increased by 233%, from 431 in 2014 to 1,433 in 2024. Similarly, the working manpower has grown by 196%, from 281 in 2014 to 833 in 2024. Additionally, 553 new Examiners have been recruited.
- b) Similarly, 200 additional posts have been sanctioned in Trade Marks, GI, and Copyright, making a 74% increase in the sanctioned strength.

4. Strengthened Global IP Collaboration

- a) Over the past decade, India has ratified 6 more World Intellectual Property Organization (WIPO) administered treaties, viz., Marrakesh Treaty, WIPO Copyright Treaty, WIPO Performances and Phonograms Treaty, Locarno Agreement, Nice Agreement and Vienna Agreement.
- b) The Office of the CGPDTM in partnering with the WIPO regularly organizes Patent Cooperation Treaty (PCT) Roving Seminars in India to promote the awareness in

respect of protecting the intellectual property and innovations globally through Patent Cooperation Treaty (PCT).

- c) In collaboration with WIPO and the Office of the Controller General of Patents, Designs and Trade Mark, the National Law University (NLU) Delhi has introduced a specialized Master's program in Intellectual Property Rights (IPR) Laws to foster global IP expertise and strengthen India's IP ecosystem through WIPO's active engagement.
- d) "WIPO IP Diagnostics – Indian Adaptation", a self-assessment tool, has been designed to enable small businesses to conduct a self-assessment of their intellectual property (IP) assets, providing guidance tailored to the Indian IP laws and procedures and enriched with local examples. By answering targeted questions, Indian small businesses can generate customized reports that offer insights into how India's IP system can support their strategic business objectives. For wider coverage, the tool has been made available multiple languages, English, Bengali, Hindi, Tamil, and Urdu.

5. IP Awareness

The Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM) implements the National Intellectual Property Awareness Mission (NIPAM) to conduct IP awareness programs in educational institutions. Launched in 2021 under the guidance of Hon'ble Commerce and Industry Minister, Shri Piyush Goyal, the mission aimed to educate 1 million students as part of the Azadi Ka Amrit Mahotsav, celebrating 75 years of India's Independence. So far, 9,186 IP awareness programs have been conducted across all 28 states and 8 Union Territories, reaching over 24.6 lakh students and faculty.

6. SIPP Scheme

The Start-Ups Intellectual Property Protection (SIPP) scheme was launched in 2016 to provide *pro bono* facilitation to startups for the filing and processing of patent, trademark, and design applications. Under this scheme, the Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM) bears the professional fees payable to facilitators. On September 6, 2019, the scheme was extended to include all Indian innovators and creators using the services of Technology and Innovation Support Centers (TISCs) established in India. In November 2022, the scheme was further revised to increase facilitation fees to

encourage IP facilitators to provide high-quality services to eligible applicants. Recently, in April 2023, the scheme was extended for another three years until March 31, 2026. Its scope was also expanded to benefit Indian educational institutions using TISC services. Additionally, it now covers the filing of international patent applications filed in India (Receiving Office (RO/IN), International Bureau, WIPO (RO/IB), electing India as the International Search Authority (ISA)). The revised fee structure is provided in the table below.

Stage of Payment		Patent	Trade Mark	Design
At the time of filing of Applications		15,000	3000	3000
At the time of final disposal of Applications	Without Opposition	25,000	5000	5000
	With Opposition	35,000	10,000	10,000

7. Robust Grievance Redressal Mechanism

The IP Office has robust Redressal Mechanism which has been further strengthened to ensure the prompt, fair, and transparent resolution of complaints and concerns:

- Daily Open House Conference has been started to enable direct daily communication of stakeholders with senior officers to provide timely solutions to their problems.
- Open House IT Helpdesk has been created as a single-window platform to swiftly address queries and grievances across all key areas of Intellectual Property.

ACHIEVEMENTS (2014-15 to 2023-2024)

1. **Global Innovation Index (GII):** India has significantly improved its ranking in GII, from 81 in 2015 to 39 in 2024.
2. About 95% patent applications were filed online in 2023-24 in comparison to 35% in 2013-14. Result is that applicants need not to visit Patent Office for filing & processing of patent applications.
3. The filing of patent application have increased by **116%**, from 42,763 in 2014-15 to 92168 in 2023-24 and patent grants have increased by **1624%**, from 5,978 in 2014-15 to 10,3057 in 2023-24.
4. Time taken for issuance of first examination report (FER) for patent applications has reduced to 10.6 months in 2023 from average 6 years (72 months) in 2015. India has become one of the fastest patent offices to issue first examination report (first office action).

As per World Intellectual Property Organizations (WIPO) indicators of 2024, in 2023, the time taken to issue examination reports in India was 10.6 months in comparison to 9.5, 13.2, 14.4, 16.1 and 18 months in Japan, China, EPO (European Patent Office), Korea and USA respectively (top IP five countries).
5. Time taken for final disposal of patent application has reduced from average 84 months in 2015 to average 49.5 months in 2023.
6. The filing of trade mark applications has increased by **126%** from 210501 in 2014-15 to 476089 in 2023-24 and trade mark registrations have increased by **573%**, from 41,583 in 2014-15 to 279719 in 2023-24.
7. According to World Intellectual Property Indicators 2024 of WIPO, in 2023, India took average 150 days to take final decision on a trademark application in comparison 120, 213, 444 and 540 days by China, Japan, USA, & Korea respectively.
8. The filing of designs applications has increased by **226%** and designs registrations has increased by **329%**, from 2014-15 to 2023-24.
9. The filling of copyright application has increased by **121%** in 2023-24 as compared to 2016-17. Registration of copyright applications has increased by **957%** during the same period.
10. GI registrations have increased by **700%** from 2014-15 to 2023-24.

IP STATISTICS

IP	Particulars	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Patents	Filed	42,763	46,904	45444	47854	50659	56267	58503	66440	82811	92168
	Grant	5,978	6,326	9847	13045	15283	24936	28385	30073	34134	103057
Trade Marks	Filed	210501	283060	278170	272974	323798	334805	431213	447805	466580	476089
	Registered	41,583	65,045	250070	300913	316798	294172	255976	261408	231977	279717
Designs	Filed	9,327	11,108	10213	11837	12585	14290	14242	22699	22698	30389
	Registered	7,147	7,904	8276	10020	9483	12256	9147	15262	23400	30670
Copyright	Filed	-	-	16617	17841	18250	21905	24451	30988	29466	36726
	Registered	-	-	3596	19997	14625	16029	16399	20673	12082	38002
GI	Filed	47	17	32	38	32	42	58	116	211	134
	Registered	20	26	34	25	23	22	05	50	55	160

1. Summary of Achievements by Office of CGPDTM (2014-15 to 2019-2020)

i. Amendments in Rules:

The Patents Rules have been amended in 2016, 2017 and 2019 while the Trademarks Rules have been amended in 2017 to achieve the objective of removing procedural inconsistencies and unnecessary steps in processing of applications to speed up grant/registration and final disposal. By amending the Rules, the procedures are made more compact, time-bound, user-friendly and compatible for e-transactions. In Trademarks, 74 Existing Forms replaced by 8 consolidated Forms; One application form for all types of trademark applications provided; Process for determination of well-known mark laid out; Express provision for filing applications for sound marks provided; Procedures relating to registration as Registered User of trademarks simplified; and Expedited processing of an application right up to registration stage provided.

ii. Modernisation of IP offices:

Modernization and strengthening of IP Offices was continued for further upgradation of infrastructure, augmentation of technical manpower, computerisation, reengineering of the process work-flow, database upgradation and IT enablement of IP Offices across the country.

During the last 5 years, there has been a steady switchover from manual to computerized system of processing of IP applications, improved management of IP-related information, creation of stronger public interface and revamping of the routine functioning of IP Offices.

iii. Manpower Augmentation:

In order to remove the backlog and enable speedy examination/disposal of IP applications, the manpower in IP Offices has been augmented substantially. Examiners of Patents & Designs have been recruited during 2016 and recruitment of 220 new examiners of patents in different fields was made during 2019 to have the sufficient strength. At the same time, number of Controllers of Patents & Designs has been increased adequately by creating the posts of Controllers. In Trademarks also, the strength of Examiners of Trademarks & GI has been increased through recruitment on regular and contract basis.

Manpower position at present, as compared to that on 31-03-2015, is as under:

As on	Patents		Trademarks	
	Examiners	Controllers	Examiners + Senior Examiners	Registrars
31-03-2015	183	89	64	13
26-05-2020	610 (673*)	245 (265*)	181 (235*)	22 (54*)

(*): Sanctioned posts.

iv. Use of IT and Technology:

- **Paperless electronic processing** implemented in Patent Office and Trade Marks Registry.
- **E-filing of applications** in Patents, Designs and Trademarks is available on 24x7 basis and has increased to more than 90% in Patents and Trademarks and 75% in Designs. 10% rebate on online filing in Patents and Trademarks to increase in online filing.
- **Email** as a mode of service has been implemented in all IPO transactions.
- **Online delivery of Certificates of Grant/Registration** of Patent, Trademark and Designs in digital format implemented.
- Registration of Patent Agents and issuance of certificate for registration of Patent Agents is made online.
- The office has started **periodic publication of list of First Examination Reports (FER)** issued by the Patent Office.

- **Video-conferencing-** Hearing of contested cases in Patents is done through Video-conferencing from applicant's place, thereby removing the requirement of visiting the Patent Office by the applicant.
- **SMS Alert-** The facility launched to help the applicants to get alerts and updates regarding critical time-related events for patent processing so as to facilitate the applicants to submit response in time.
- **Dynamic Website and Information dissemination-** The IPO website has been redesigned to improve contents and ease of access and make it more interactive, informative and easy to navigate. IP data on real-time basis is available in respect of filing and processing of Patents, Designs, Trade Marks and Geographical Indications. The website provides login-free Search facility for hassle-free dissemination of IP information to stakeholders.
- **WIPO services-** WIPO IPCCAT, WIPO CASE, WIPO DAS WIPO Publish services implemented in working of Patent Office.

v. Expedited examination:

- The facility of **Expedited Examination has been** provided for patent applications filed by Startups and for applications where the Applicant has selected Indian Patent office as ISA/IPEA for his PCT application. Recently, the Expedited Examination system is extended for patent applications **to 8 more categories of Applicants wef. 17-09-2019** by amending the Patents Rules. **New categories include SME, Female applicants**, Government Departments, institutions established by a Central, Provincial or State Act, which is owned or controlled by the Government, Government company, an institution wholly or substantially financed by the Government and applicants under PPH.
- Under the Expedited Examination System, most applications regarding grant of patents have been decided within about one year of filing Request for Expedited Examination as compared to the period of few years required in case of normal examination route. The fastest granted patent is the one which was granted in 41 days after filing of such request.

vi. Initiatives for Startup India program:

- **80% fee concession** is available for Patent applications filed by Startups whereas for Trademark startup applications, **50% fee concession** is provided as compared to large entity.

Similar provision of enhanced FEE concession for MSME has been proposed in the Draft (Second Amendment) Patent Rules, 2019.

- The "**Scheme for Facilitating Startups Intellectual Property Protection (SIPP)**" was launched in 2016 to encourage and facilitate IPR protection by Startups and the same has been extended up to March 2023. The Scheme is implemented by the office of CGPD TM and provides facilitators to Startups for filing and processing of their applications for patents, designs and trademarks. Professional charges of the facilitators are reimbursed by the office of CGPD TM as per provisions under the SIPP scheme.

vii. Awareness in IPR:

The office of CGPD TM is regularly engaged in dissemination of information and knowledge to IP stakeholders by way of conducting/participating in IPR awareness activities conducted for schools, universities, industries, legal and enforcement agencies and other stakeholders, in association with CIPAM (DPIIT) and industry Associations in the country. The IPO officials regularly participate as resource persons in these programs. RGNIPM Nagpur, which is a specialized institute under the office of CGPD TM, also conducts public training programs and awareness programs in IPR.

viii. Feedback Mechanism:

The mechanism to lodge feedback/suggestions/complaints in respect of issues related to functioning of the IP offices has been set up in IPO website for the benefit of stakeholders. A team acts promptly on stakeholders' suggestions/grievances and communicate appropriate response through e-mail.

ix. India's accession to WIPO implemented treaties:

The Government of India has accepted the proposal for India's **accession to the WIPO Copyright Treaty and WIPO Performers and Phonograms Treaty**, which extends the coverage of Copyright to the internet and digital environment, and also the **proposal for accession of India to the Nice, Vienna and Locarno Agreements**, which will help the Indian IP Office to harmonize the classification systems for examination of trademark and design applications, in line with the classification systems followed globally. Both the treaties provide framework for creators and right owners to use technical tools to protect their works and safeguard information about their use.

- x. A pilot Patent Prosecution Highway (PPH) project with Japan** has been signed and started in the month of December 2019.

2. IMPACT OF STEPS TAKEN:

• Patents:

- Patent Examination increased from 22631 in 2014-15 to 800088 by end of F.Y. 2019-20.
- Time required for Patent examination reduced from average 72 months in 2015 to 12- 30 months at present, depending upon technology fields, which will be further reduced to about 12 months for all technology fields, by end of December 2020.
- Grant of patents has increased from 5978 in 2014-15 to 24936 in 2019-20.
- It is expected that the time for final disposal of patent applications, which has reduced to average 48 months at present from few years earlier, will be reduced to average 24-30 months from filing by end of 2021.

• Trademarks:

- Period of examination of new trademarks applications is reduced from 13 months to less than 30 days.
- Trademark is registered in about 6 months, if there is no objection or opposition filed, as compared to 3-5 years required earlier.
- About 50% applications are accepted at 1st stage as against only 7% earlier.
- 11.62 lakh Trademark Registrations done in just four Years (during 2016-17 to 2019-20) as compared to 11 lakh Registrations during 75 Years (1940-2015).

- **Designs:** Examination of new applications is done within one month after filing.

• Copyrights:

- There is no pendency in examination for Copyright registration, except cases which are under statutory waiting period and where the work is awaited from the applicants.
- There is no pendency for registration of Copyright except cases under statutory waiting period.

• Startups:

- As on 31-03-2020, total Startups applications filing in Patent was 3204 and in Trademarks it was 6090.
- Total patents granted to startups up to 31-03-2020 is 309.

3. Significant Achievements by IPO: (2019-20 vis-à-vis 2014-15)

Patents	Particulars	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
	Filed	42763	46904	45444	47854	50659	56284
	Examined	22631	16853	28967	60330	85426	80088
	Grant	5978	6326	9847	13045	15283	24936
	Disposal	14316	21987	30271	47695	50884	55945
Patents : Highlights (2019-20 vis-à-vis 2014-15) <ul style="list-style-type: none">Filings increased by 31.6 %Examination increased by 253.9 %Grants increased by 317.1 %Disposal increased by 290.8%Domestic filing increased to 37% as compared to 28.2% in 2014-15							
Trade Marks	Particulars	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
	Filed	210501	283060	281868	272974	323798	334815
	Examined	168026	267861	532230	306259	337541	338551
	Registered	41583	65045	250070	300913	316798	294172
	Disposal	83652	116167	290444	555777	519185	422566
Trade Marks : Highlights (2019-20 vis-à-vis 2014-15) <ul style="list-style-type: none">Filing increased by 59.1 %Examination increased by 101.5 %Registrations increased by 607.4 %Disposal increased by 405.1 %Examination within 1 month							
Designs	Particulars	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
	Filed	9327	11108	10196	11837	12585	14272
	Examined	7459	7545	11940	11850	12661	13644
	Registered	7147	7904	8276	10020	9512	12268
	Disposal	7218	8273	8332	10788	11414	14713
Designs : Highlights (2019-20 vis-à-vis 2014-15) <ul style="list-style-type: none">Filing increased by 53%Examination increased by 82.9 %Registrations increased by 71.7 %Disposal increased up by 103.8 %Examination within 1 month							
Copyrights	Particulars	2016-17	2017-18	2018-19	2019-20		
	Filed	17827	17841	18250	21905		
	Examined	9440	34388	22658	19460		
	Registered	3597	19997	14625	16048		
	Disposal	5444	39799	25943	19490		
Copyright: Highlights (2019-20 vis-à-vis 2016-17) <ul style="list-style-type: none">Filing increased by 22.9 %Examination increased by 106.1%Registrations increased by 346.1%Disposal increased up by 258.0%No pendency in examination and registration							