

OFFICE OF THE CONTROLLER GENERAL OF PATENTS, DESIGNS & TRADE MARKS, MUMBAI

PUBLIC NOTICE

Dated this on 26th day of December, 2022

As per provision of section 128 of the Patents Act, 1970 (as amended) (Act), read with section 123, only authorized Patent Agents are entitled to represent their clients in respective matters before the Controller of Patents. It has been observed that some persons, who are neither patent agents nor authorized by the applicant or the party concerned, are also taking part in proceedings before the Controller of Patents and making communications with the Controller. It is also observed that most of the time such persons are either employees of patent agents or law firm where the patent agents work. An appropriate action will be initiated as per provision of section 123 of the Act against the concerned person and the patent agent or law firm who have employed that person, if it is found that the person has acted on the direction of the Patent Agent or Law Firm.

It is also clarified that an Advocate, not being a patent agent, can take part in any hearing/proceeding before the Controller in accordance with section 132 of the Act, provided that the Advocate is duly authorized by the applicant or the party concerned by filing Form 26 in his favour and also ensuring that the Advocate is accompanied with the applicant or the party concerned.

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Controller General of Patents, Designs & Trade Marks