

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

STARRED QUESTION NO:192
ANSWERED ON:15.03.2002
EXAMINATION OF PATENT APPLICATIONS
UMMAREDDY VENKATESWARLU

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the number of pending patent applications with the various patent offices of the Government;
- (b) whether the system of examining the patent applications has not been upgraded;
- (c) the details of patent offices functioning in the country, location-wise;
- (d) the administrative structure of the patent administration in the country; and
- (e) the steps proposed to institute a transparent system for examining patent applications?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN SINGH)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 192 FOR ANSWER ON 15.3 REGARDING EXAMINATION OF PATENT APPLICATIONS

(a): The number of patent applications pending with various Patent Offices is as under:

Patent Office, Kolkata	8, 541
Patent Office, Chennai	13, 793
Patent Office, Delhi	15, 891
Patent Office, Mumbai	5, 739

(b): The Government has taken up comprehensive upgradation and modernisation of the patent administration at a cost of Rs.75.59 crore. This is inclusive of initiatives for the simplification and re-engineering of work procedures and development of databases to facilitate on-line search as also to create user-friendly systems. These initiatives have so far enabled initial computerization, establishment of on-line search facilities, development of work manuals, launch of website, preparation of information brochures, installation of front office software to generate computerised information about status of patent applications and issue of receipts.

Two modernised patent offices in Delhi and Chennai were operationalised in July and August 2001 respectively. The modernisation of the Patent office in Kolkata is nearing completion while the work is going on in Mumbai.

The modernization initiatives have started showing initial results. Patent Offices, which have been examining around 2800 applications per year, examined over 4264 applications in 2000-2001. The average output of Patent Examiners has improved by 50%. The Delhi Patent office is currently examining food, drug and medicine related patent applications filed in March 2001 and the Chennai office is examining applications filed in June 2001. These gains, which are with existing manpower, will be further consolidated with the appointment of 132 Examiners, 81 of whom are being issued appointment orders.

>From October 2000, the practice of Preliminary Examination Reports (PERs) for patents was commenced. This has resulted in starting early the process of patent processing. Over 26,000 PERs have been issued by various offices.

(c): The Patent Offices are presently functioning in Kolkata (head office also), Chennai, Delhi and Mumbai. The territorial jurisdiction of these offices is as below:

Office Territorial Jurisdiction

Patent Office, Mumbai Maharashtra, Gujarat, Madhya Pradesh, Chattisgarh, Goa,
Daman & Diu and Dadar & Nagar Haveli

Patent Office, Chennai Andhra Pradesh, Kerala, Tamil Nadu, Karnataka, Pondicherry
and Lakshadweep

Patent Office, Delhi Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan,
Uttar Pradesh, Uttranchal, Chandigarh and Delhi.

Patent Office, Kolkata The rest of India

(d): The Patent Office is a subordinate office under the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion and is headed by the Controller General of Patents, Designs and Trademarks. The other senior functionaries are Senior Joint Controller of Patents and Designs, Joint Controller of Patents and Designs, Deputy Controller of Patents and Designs, Assistant Controller of Patents and Designs and Examiner of Patents and Designs.

(e): The operationalisation of a work procedures manual (available on website) ensures uniformity in procedure. Installation of front office software to enable generation of computerised information about status of patent applications and issue of receipts also provides user friendly services. All categories of patent applications are dealt in strict chronological order of receipt. The proposed up-gradation of the website to an integrated and interactive intellectual property portal will further contribute to transparency in the functioning of patent offices.