

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

UNSTARRED QUESTION NO:5861
ANSWERED ON:02.05.2003
PENDING PATENT APPLICATIONS
RAMSHETH THAKUR

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

- (a) whether there is a large number of patent applications pending with the Government;
- (b) if so, the details thereof as on date and since when these are pending; and
- (c) the steps taken by the Government to clear the pending applications at the earliest?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI CH. VIDYASAGAR RAO)

(a) and (b): 46,248 applications for patents are pending for substantive examinations as on 31 March, 2003. In all these cases, preliminary scrutiny reports have been issued. Out of 46,248 applications, 4,441 applications have been filed under section 5 (2) of the Patents Act and these cannot be taken up for examination till 01 January, 2005. These applications pertain to the year 1997-98 to 2002-03.

(c): The Government has taken up comprehensive upgradation and modernisation of patent administration including clearance of backlog of pending applications. This is inclusive of initiatives for simplification and re-engineering of work procedures, development of databases to facilitate on-line search, computerisation of operations, development of work manuals, recruitment of additional staff and its training, etc. The modernisation initiatives have also started showing improvements in the performance of the Patent Offices. The Patent Offices which examined only 2,824 applications in the year 1999-2000 have examined 9,538 applications in the year 2002-03. With the deferred examination system being brought into force shortly with the operationalisation of the Patents (Amendment) Act, 2002 and Patents Rules, 2003, the existing backlog would be fully cleared. With further consolidation of modernisation initiatives, the overall performance of Patent Offices will improve further and it would be possible to ensure grant of patents rights within a time frame comparable to international standards and consistent with statutory provisions.