

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

UNSTARRED QUESTION NO:3366

ANSWERED ON:18.03.2013

. PATENT FILING SERVICES

Gorakhnath Shri ;Majhi Shri Pradeep Kumar;Patel Shri Kishanbhai Vestabhai;Reddy Shri Modugula Venugopala ;Shekhawat Shri
Gopal Singh;Yaskhi Shri Madhu Goud

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

- (a) whether the Government has changed its patent law and started granting patents in medicines;
- (b) if so, the details thereof along with its likely impact on the drug market in the country;
- (c) whether the Government proposes to launch comprehensive online patent filing services in the country;
- (d) if so, the details thereof along with the salient features of the same and its likely impact on the existing e-filing system;
- (e) the steps taken by the Government to popularise the new services among the users in the country; and
- (f) whether the Government proposes to examine all patent applications in a single patent office and if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. S. JAGATHRAKSHAKAN)

(a) & (b): Yes, Madam. The Section 5 of the Patents Act, 1970, through which the patent was restricted only to the methods or processes of manufacturing of medicines, has been omitted by the Patents (Amendment) Act, 2005. Consequently, the amended provisions of the Act allowed the product patent for medicines also. The said amendment was intended to make the provisions of the said Act in conformity with India's obligations under the Trade-Related Aspects of Intellectual Property Rights (TRIPS), and also to promote creativity and innovation in the country.

(c) & (d): The Office of Controller General of Patents, Designs and Trade Marks (CGPDTM) has launched the comprehensive online patent filing system with effect from 15th December, 2012. In addition to the existing online filing of new applications, this system enables subsequent filing of the prescribed forms and other documents along with the prescribed fees for all the procedures. This system is more user friendly as this has been simplified and includes user manual, frequently asked questions, troubleshooting and dual way login facilities through user ID and digital signature.

The new system is likely to generate more number of applications through online filing route and to increase the efficiency and productivity in the Patent Office in terms of processing of applications.

(e): Awareness and sensitization programmes on Patents are conducted by Office of Controller General of Patents, Designs and Trade Marks (CGPDTM) either on its own or in collaboration with other organizations in the country, where, the officials of the Patent Office elaborate on the new online filing system. In addition, Public Relations Officers are available in each Patent Office location to provide necessary information on the new system to the interested public. The information is also available in the Official website of the Office of Controller General of Patents, Designs and Trade Marks.

(f): No, Madam.