

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

UNSTARRED QUESTION NO:165

ANSWERED ON:30.11.2015

Patents and Trademark Applications

Gaikwad Dr. Sunil Baliram;Gupta Shri Sudheer;Kachhadia Shri Naranbhai;Kirtikar Shri Gajanan Chandrakant;Mahato Shri Bidyut Baran;Singh Shri Kunwar Haribansh

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

- (a) the details of applications filed for grant of patent and trademark along with those approved/rejected during each of the last three years and the current year;
- (b) whether there is an undue delay in processing of requests for patents and trademark applications;
- (c) if so, the details thereof along with the reasons therefor and the reaction of the Government thereto; and
- (d) the measures taken/being taken by the Government to clear the pending applications?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE)
OF THE MINISTRY OF COMMERCE & INDUSTRY
(SHRIMATI NIRMALA SITHARAMAN)

(a): The details of applications filed for grant of patents and registration of trademarks for last three years and the current year are as follows:

Year	Patents Filed	Patents Granted	Patents Rejected	Trademarks Filed	Trademarks Registered	Trademarks Rejected
2012-13	43674	4126	353	194216	44361	16447
2013-14	42950	4225	774	200005	67873	5154
2014-15	42774	5978	1380	210501	41583	8305
2015-16 (as on 31.10.2015)	27933	3581	605	150814	37799	6543

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(b)&(c): There is pendency in patent and trademark applications, which are disposed of with the available manpower and infrastructure. The pendency as on 01/11/2015 is 2,46,495 in patent applications and 5,32,682 in trademark applications. This pendency is primarily due to shortage of manpower. The Government has taken measures to augment available manpower and other necessary infrastructure.

(d): The Government has taken several measures to clear the pending applications, which are as under:

- i. The Government has sanctioned 373 additional posts in the Patents Wing, including 252 posts of Examiners of Patents and Designs and 76 posts of Controllers of Patents and Designs in the 12th Plan under the Plan Scheme for Modernization and Strengthening of Intellectual Property Offices (MSIPO);
- ii. Recruitment process to fill 459 vacant posts of Examiners of Patents and Designs is underway. Besides, as a short-time measure, 263 contractual posts of Examiners of Patents and Designs have also been created;
- iii. In Trademarks Wing also, 108 additional posts, which include 62 posts of Examiners of Trademarks (TM) & Geographical Indications (GI) and 15 Senior Examiners, have been created under MSIPO;
- iv. Recruitment process to 62 vacant posts of Examiners and Sr. Examiners of TM & GI has also been undertaken, while 100 contractual posts of Examiners of TM & GI have also been created;
- v. Amendments have been proposed in both the Patents Rules and Trade Marks Rules to streamline procedures for filing and disposal of applications;
- vi. Online facility for filing of applications has been strengthened both in Patents and Trademarks wings so as to reduce the workload

at the office and also to save the time of applicants;

vii. In order to facilitate the examination work and optimize the speed and quality of examination, number of measures like computerized work-flow, automation and IT enablement in the functioning have been implemented in the Patents and Trademarks offices; and

viii. Facilities like dynamic utilities for quick and efficient access to all types of data and information regarding patent and trademarks processing have been created on the official website for the benefit of users.
