

Brief of implementation of National IPR Policy Objectives

India issued National IPR Policy (NIPR Policy) in May 2016 to support the creation of a knowledge-driven economy and to promote economic and social development with 7 objectives. Details for implementation of NIPR Policy by the office of CGPDTM under these 7 objectives are as under:

Sl. No.	National IPR Policy Objective	Implementation/Action taken
1	IPR Awareness: Outreach and Promotion	<ul style="list-style-type: none"> • IPR awareness programs are conducted by the O/o CGPDTM in collaboration with Cell for IPR Promotion & Management (CIPAM) and various Industry associations for schools, colleges, universities, etc. More than 100 awareness programs are being conducted annually. • Inclusion of IPR in curriculum of High schools and Colleges. • Rajiv Gandhi National Institute for IP Management (RGNIPM) regularly conducts Public Training programs in IPRs for different stakeholders and IP Awareness programs. Around 100 public training and IP awareness programs are being conducted by RGNIPM annually.
2	Generation of IPRs	<p>Office of CGPDTM has implemented the following measures for augmenting the generation of IPRs:</p> <ul style="list-style-type: none"> • Online IP applications filing and grant/registration; real-time application status; electronic payment gateway for application fees; enhanced online search facilities and updated website, which is login free, informative, transparent and interactive to help the applicants. • Encouraging innovation by promoting IP generation by Start-ups, MSMEs and other IP generators: <ul style="list-style-type: none"> – Reduced fee for filing and subsequent procedures for Start-ups and SMEs in patents. – Reduced fee for filing of trademark of startup and SME. – Implementation of Scheme for Facilitating Start-ups Intellectual Property Protection (SIPP) to provide financial support for IP generation. – Expedited examination and grant of patents under 10 categories of applicants, <i>inter alia</i>, including Startups, SME, Women, Govt. Departments, Govt. funded institutions, inventions pertaining to a sector notified by the Central Government, etc. Under expedited examination system, most of the patents are granted within one year of filing of request for expedited examination. – Accelerated processes for the registration of trademarks. • Technology and Innovation Support Centers (TISC) with support from WIPO and IP facilitation Centers in universities set up to help potential applicants for filing their applications.
3	Legal and Legislative Framework	<ul style="list-style-type: none"> • India's institutional IPR framework restructured by including the administration of Copyright and Semiconductor Integrated Circuit Layout-Designs Acts under DPIIT. • India's IPR legal framework updated, simplified, made user-friendly with improved ease of doing business. This includes: <ul style="list-style-type: none"> – Amendments of the Patents Rules, 2003, – New Trade Marks Rules, 2017. – Amendment of the Patents Rules proposed to put MSME at par with

		<p>Startups and also to streamline the furnishing of statements of working of patents under section 146 of the Patents Act.</p> <ul style="list-style-type: none"> • Draft of amendments to the Copyright Rules, the GI Rules, the Designs Rules, and the Patents Rules are presently under consideration. • Accession to various WIPO treaties viz., Locarno Agreement, Marrakesh Treaty, Nice Agreement, Vienna Agreement, WIPO Copyright Treaty (WCT), WIPO Performances & Phonographs Treaty (WPPT) in order to strengthen country's position as a major player on global IP platform. • Pilot PPH program with Japan implemented.
4	Administration and Management	<ul style="list-style-type: none"> • Rationalization of IPR administration and adopting uniform practices across all the offices in country for examination and disposal of IP applications. • Automation and re-engineering of IP procedures. • Online filing of applications for Patents, Designs, Trademarks and Copyright. • Adopting applicant-friendly practices like hearing through video-conferencing, e-communication with IP office, online filing of all relevant documents, issuing grant/registration/renewal certificate online, etc. • Updating IPO website to have online weekly IP journals, file-wrapper with all relevant information and documents related to IP applications on real-time basis, IP Manuals and Guidelines, Dynamic Utilities, IP agents details, public notifications, etc. • IPR-helpdesks are available at all IPO locations. • Internal quality control mechanism in IPO has been strengthened. • Discussion with NBA is going on for streamlining grant of patents to inventions related to biological resources. • All new Examiners are trained at RGNIIIPM before inducting them in regular examination work. Periodic refresher training programs for Examiners and Controllers/Registrars are organized for continuous updating the skill and expertise. • In order to remove backlog and enable speedy examination/disposal of IP applications, manpower in IP Offices has been augmented substantially. Sanctioned posts of Examiners of Patents & Designs have increased from 183 on 31-03-2015 to 673 on 31-03-2020 and that of Controllers from 89 to 265. In Trademarks also, the strength of Examiners of Trademarks & GI has been increased through recruitment on regular and contract basis. • Efforts are going on for making TKDL as a part of PCT Minimum Documentation • Reduced fee for IP applications filing by Startups and SMEs and SIPP Scheme to provide financial support implemented. • Further reduction of fees for SME for patent processing is proposed under amendments in the Patents Rules. • Expedited examination and grant of patents under 10 categories of applicants, <i>inter alia</i>, including Startups, SME, Women, Govt. Departments, Govt. funded institutions, inventions pertaining to a sector notified by the Central Government, etc. Under expedited examination system, most of the patents are granted within one year of filing of request for expedited examination. • Accelerated processes for the registration of trademarks. • Examinations for Patent agents are held regularly. • Bilateral agreements have been entered into for cooperation and adoption of

		<p>the best practices in search, examination and training.</p> <ul style="list-style-type: none"> • Cooperation with WIPO to deal with international PCT applications and strengthening e-PCT filing. • Updating patent search procedure with the help of WIPO by adopting WIPO CASE and DAS system. • Streamlining legal procedures for encouraging trademark registrations under Madrid Protocol. • Recruitment of new Examiners in Patents and Trademarks and augmenting strength of Controllers in patents/hearing officers in trademarks to achieve reduction in pendency. • Copyright Office has been modernized and all procedures have been automated and made online compatible. Website of Copyright Office has been thoroughly updated to make it content-wise exhaustive and transparent.
5	Commercialization of IPR	<ul style="list-style-type: none"> • Income tax deduction allowed on income received through royalty on patents. • Concept of Patent Box introduced in India by the Finance Act, 2016 by enacting new Section 115BBF. • CIPAM has been entrusted with the work of creating awareness in respect of commercialization of IPRs.
6	Enforcement and Adjudication	<ul style="list-style-type: none"> • CIPAM has been entrusted with the work of creating awareness in respect of Enforcement and Adjudication of IPRs in the country with emphasis on preventing counterfeiting of IPRs. • Capacity-building programs for State enforcement officials including WIPO-organized workshops. • Toolkit for Police Officers created. • IPO officers regularly participate in the programs conducted for this purpose by CIPAM and other organizations in the country.
7	Human Capital Development	<ul style="list-style-type: none"> • Office of CGPDTM and RGNIIPM undertake IPR training and awareness activities to strengthen and expand human resources and capacities for skill building in IPRs. • RGNIIPM, Nagpur has been strengthened and empowered to conduct training for IPR administrators and managers in industry and business, academicians, R&D institutions; IP professionals; IP trainers, inventors, industry sectors, etc. The RGNIIPM has been associated with WIPO for jointly conducting Summer Schools, customized programs in IP and provide legal training for Examiners. • Office of CGPDTM supports IPR outreach activities in the country by providing IPO officers as resource persons for conducting awareness and public training programs on IPRs for various stakeholders, which include Schools, Colleges and Universities, legal professionals, industry, enforcement agencies, etc.