

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF INDUSTRIAL POLICY & PROMOTION**

LOK SABHA

**STARRED QUESTION NO. 277.
TO BE ANSWERED ON MONDAY, THE 6TH AUGUST, 2018.**

PENDING PATENT APPLICATIONS

***277. SHRI K. PARASURAMAN:
SHRI JANAK RAM:**

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

वाणिज्य एवं उद्योग मंत्री

- (a) the number of pending applications regarding patent and trade mark;
- (b) whether it is a fact that the total number of pending patent applications is rapidly increasing;
- (c) if so, the details thereof along with the proposed action plan to develop infrastructure in all patent offices in the country so as to reduce the pending applications; and
- (d) the other steps taken/proposed to be taken by the Government to deal with the mounting number of patent and registration applications?

ANSWER

**वाणिज्य एवं उद्योग मंत्री (श्री सुरेश प्रभु)
THE MINISTER OF COMMERCE & INDUSTRY
(SHRI SURESH PRABHU)**

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

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION
NO 277 FOR ANSWER ON 6TH AUGUST, 2018.**

(a) & (b): Pendency of patent applications is measured in terms of pending requests for examination after the request is filed. Various steps undertaken by the Government have resulted in higher number of applications being examined and reduction in pendency. In the months of April-June 2018, 20,146 patent applications were examined as against 11,927 during the corresponding period last year. The pendency at examination stage has thus reduced from 2,04,177 as on 31.3.2017 to 1,55,438 as on 30.6.2018. As regarding trade marks, 4,54,833 trademark applications are pending at various stages of disposal, out of which 42,304 are pending at the examination stage.

(c) & (d): Patent offices have been established in four cities namely Delhi, Chennai, Kolkata and Mumbai with necessary physical and IT infrastructure. The Government has taken several steps to reduce the pendency further. These steps, inter-alia include the following:-

- (i) To address the issue of lack of technical manpower for examination and disposal of patent applications, available manpower has been augmented through creation of new posts.
- (ii) Recruitment has been completed for 459 posts of Examiners of Patents and Designs.
- (iii) Further, 84 new posts of Examiners and 95 posts of Controllers have been sanctioned.
- (iv) Patent Rules have been amended and notified on 16.05.2016 to simplify procedures for disposal of patent applications. The salient amendments include:
 - a) Provisions have been included for condonation of delay due to war/natural calamities.
 - b) For the first time, refund of fees in certain cases has been permitted, as also withdrawal of application being permitted without any fees.
 - c) Timelines have been imposed to ensure speedy disposal, while the number of admissible adjournments has been limited.
 - d) Applications can be transferred electronically from any of the Patent Office branches to another, utilizing specialized technical manpower more efficiently.
 - e) Expedited Examination is now permitted on certain grounds.
 - f) Hearing through video conferencing has been permitted.
- (v) The website of Indian Intellectual Property Office has been updated to make it more interactive, informative, user-friendly and transparent.
- (vi) In order to facilitate the examination work and optimise the speed and quality of examination, number of measures viz. computerised work-flow, automation and IT enablement in the functioning have been implemented.