

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE**

LOK SABHA

**UNSTARRED QUESTION NO. 2581.
TO BE ANSWERED ON WEDNESDAY, THE 4TH AUGUST, 2021.**

VACANT POSTS IN PATENT OFFICES

2581. SHRI KESINENI SRINIVAS:

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

वाणिज्य एवं उद्योग मंत्री

- (a) the details of the total number of vacant posts of trademark and patent officers including the steps taken by the Government to fill these vacant posts;
- (b) whether the Government safeguards rights of owners against the threat of trademark squatting;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

ANSWER

वाणिज्य एवं उद्योग मंत्रालय में राज्य मंत्री (श्री सोम प्रकाश)

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE & INDUSTRY
(SHRI SOM PARKASH)**

- (a): The details of the total number of vacant posts of trademark and patent officers as on 02/08/2021 are as under:

Patent office:

S. No.	Name of the Post	No. of vacant posts	Steps taken by the Government to fill these posts
1	Senior Joint Controller of Patents & Designs	04	There was no officer eligible for promotion in feeder grade. Two officers in the grade of Joint Controller of Patents & Designs will become eligible for promotion in January, 2022.
2	Joint Controller of Patents & Designs	08	Matter is under active consideration in the Department.
3	Deputy Controller of Patents & Designs	01	One post of Deputy Controller of Patents & Designs has been kept in sealed cover on

	Designs		account of ongoing disciplinary proceedings against said officer.
4	Assistant Controller of Patents & Designs	01	Matter is under active consideration in the Department.
5	Examiner of Patents & Designs	64	Matter is under active consideration in the Department.

Trade Mark Registry office:

S. No.	Name of the Post	No. of vacant posts	Steps taken by the Government to fill these posts
1	Senior Joint Registrar of Trade Mark & Geographical Indication	02	<p>Since this post is to be filled purely on 100% Promotion basis, no officer from feeder cadre is eligible for promotion to these posts. Steps were taken to fill these posts on deputation, but efforts were unsuccessful.</p> <p>One official will be eligible for promotion to this post in 2022.</p>
2	Joint Registrar of Trade Mark & Geographical Indication	04	<p>Since this post is to be filled purely on 100% promotion basis, no officer from feeder cadre is eligible for promotion to these posts. Steps were taken to fill these posts on deputation, but efforts were unsuccessful.</p> <p>Four officials will be eligible for promotion to this post in 2024.</p>
3	Deputy Registrar of Trade Mark & Geographical Indication	09	<p>This post is to be filled on 80% Promotion and 20% Direct Recruitment (DR) basis.</p> <p>As on date, no officer from feeder cadre is eligible for promotion to these posts. 03 Officers will become eligible for promotion in January 2022.</p> <p>Earlier, steps were taken to fill these posts on deputation, but the efforts were unsuccessful.</p> <p>As regards to direct recruitment, UPSC has advertised 03 posts of Deputy Registrar and the same is at its final stage in the UPSC.</p>

4	Assistant Registrar of Trade Mark & Geographical Indication	25	<p>This post will be filled on 66.67% Promotion and 33.33% Direct Recruitment (DR) basis.</p> <p>As regards to promotional posts, only 05 officers from the feeder cadre are eligible for promotion and said proposal is under active consideration in the Department.</p> <p>Earlier, steps were also taken to fill these posts on deputation, but the efforts were unsuccessful.</p> <p>As regards to direct recruitment, UPSC has advertised 11 posts of Assistant Registrar and the same is at its final stage in the UPSC.</p>
5	Senior Examiner of Trade Mark & Geographical Indication	30	<p>This post is to be filled on 75% Promotion and 25% Direct Recruitment (DR) basis.</p> <p>As regards to promotional posts, no officer from feeder cadre is eligible for promotion to these posts. Steps were taken to fill these posts on deputation, but the efforts were unsuccessful.</p> <p>As regards to direct recruitment posts, 09 officers have been appointed in May 2021.</p>
6	Examiner of Trade Mark & Geographical Indication	100	<p>This post is to be filled on 25% promotion and 75% Direct Recruitment (DR) basis.</p> <p>As regards to promotional posts, no officer from feeder cadre is eligible for promotion to these posts. Steps were taken to fill these posts on deputation but, the efforts were unsuccessful.</p> <p>As regards to direct recruitment, UPSC has advertised 65 posts of Examiner and the same is at its final stage in the UPSC.</p>

(b): Yes Sir.

(c) & (d): Protection of the original adopter or proprietor of a trademark has been provided under Section 34, Section 47, and Section 11 read with Section 57 of the Trademarks Act, which may be considered as protection against trademark squatting.
