

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

LOK SABHA

**UNSTARRED QUESTION NO. 469.
TO BE ANSWERED ON WEDNESDAY, THE 1ST DECEMBER, 2021.**

PATENTS RULES, 2021

**469. DR. JAYANTA KUMAR ROY:
DR. SUKANTA MAJUMDAR:
SHRI BHOLA SINGH:
SHRI RAJA AMARESHWARA NAIK:
SHRI VINOD KUMAR SONKAR:**

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

वाणिज्य एवं उद्योग मंत्री

- (a) whether the Government has recently made amendments in the Patents Rules and notified the Patents (Amendment) Rules, 2021 and if so, the details thereof;
- (b) whether the Government has extended the benefits of 80% reduced fee for patent filing and prosecution to educational institutions;
- (c) if so, the details thereof;
- (d) whether the Government has launched any Scheme for facilitating Startups Intellectual Property Protection (SIPP);
- (e) if so, the details thereof; and
- (f) the other steps being taken by the Government in strengthening its intellectual property ecosystem in recent years?

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) to (c) :** Yes Sir. The Patents Rules, 2003 were amended by the Patents (Amendment) Rules, 2021 which came into force on 21st September 2021 *vide* Notification G.S.R. 646(E) of the even date. *Vide* the Patents (Amendment) Rules, 2021, the term 'educational institution' was defined in sub-rule (ca) of rule 2 of the Patents Rules, 2003 and the First Schedule of the Patents Rules, 2003 was also amended. Consequently, the said educational institutions will be eligible for benefit of reduced fee which is around 80% lower than the fee that is payable by other entities. The said Gazette notification is at **Annexure-I**.

(d) & (e) : Yes Sir. The Scheme for Facilitating Startups Intellectual Property Protection (SIPP Scheme) was initiated, on pilot basis, in 2016. The SIPP Scheme was run for the benefit of Start-ups, by providing for facilitators (registered patent agents, registered trade mark agents, lawyers, government organisations like TIFAC, NRDC, etc.) who would provide their professional services to the Startups but claim their fees from the Office of the Controller General of Patents, Designs and Trade Marks (CGPDTM). Based on the experience gained, the SIPP scheme was extended for a period of three years with effect from 1st April 2017 to 31st March 2020 and further from 1st April 2020 till 31st March 2023. With effect from 1st April 2020, applications filed through Technology and Innovations Support Centres (TISCs), established by collaboration between World Intellectual Property Organization (WIPO) and Department for Promotion of Industry and Internal Trade (DPIIT), can also avail the benefit of the SIPP Scheme. The details of the SIPP scheme are at **Annexure-II**.

(f): Government of India has taken several initiatives to strengthen Intellectual Property Rights (IPR) ecosystem in the country, which includes modernization of Intellectual Property Rights offices, adopting e-service delivery system, real-time public dissemination of dynamic intellectual property (IP) knowledge, manpower augmentation, setting up of feedback mechanism, amendments in specific IP legislation for simplification of procedures, such as reduction of forms, incentivizing e-filing and reducing compliance burden.

**ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE LOK SABHA
UNSTARRED QUESTION NO. 469 FOR ANSWER ON 1ST DECEMBER, 2021.**

[भारत का राजपत्र, असाधारण, भाग 2, खण्ड 3, उपखण्ड (i) में प्रकाशनार्थ]
वाणिज्य और उद्योग मंत्रालय
(उद्योग संवर्धन और आंतरिक व्यापार विभाग)

अधिसूचना

नई दिल्ली,, 2021

सा.का.नि.. ----- (अ).पेटेंट अधिनियम, 1970 (1970 का 39) की धारा 159 की उपधारा (3) के अधीन यथा अपेक्षित पेटेंट नियम, 2003 का और संशोधन करने के लिए कतिपय नियमों के प्रारूप भारत सरकार के वाणिज्य और उद्योग मंत्रालय (उद्योग संवर्धन और आंतरिक व्यापार विभाग) की अधिसूचना संख्या सा.का.नि. 106 (अ), तारीख 09 फरवरी, 2021 द्वारा भारत के राजपत्र, असाधारण, भाग-2, खण्ड 3, उपखण्ड (i) में प्रकाशित किए गए थे जिसमें ऐसे सभी व्यक्तियों से, जिनकी इससे प्रभावित होने की संभावना है, उस तारीख से, जिसको, उक्त अधिसूचना में अंतर्विष्ट राजपत्र की प्रतियाँ जनता को उपलब्ध करा दी गई थीं, तीस दिनों की अवधि के अवसान से पूर्व आक्षेप और सुझाव आमंत्रित किए गए थे;

और, जिस राजपत्र में उक्त अधिसूचना प्रकाशित की गई थी उसकी प्रतियाँ 09 फरवरी, 2021 को जनसाधारण को उपलब्ध करा दी गई थीं;

और, उक्त प्रारूप नियमों के संबंध में जनता से प्राप्त आपत्तियों और सुझावों पर केंद्रीय सरकार द्वारा विचार किया गया है;

अतः, अब, केंद्रीय सरकार, पेटेंट अधिनियम, 1970 (1970 का 39) की धारा 159 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पेटेंट नियम, 2003 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात:-

1. (1) इन नियमों का संक्षिप्त नाम पेटेंट (संशोधन) नियम, 2021 है।
(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
2. पेटेंट नियम, 2003 में (जिसे इसमें इसके पश्चात मूल नियम कहा गया है), के नियम 2 के, उपनियम (ग) के पश्चात, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात:-
“(गक) “शैक्षिक संस्था” से केंद्रीय अधिनियम, प्रांतीय अधिनियम अथवा राज्य अधिनियम द्वारा या उसके अधीन स्थापित अथवा निगमित विश्वविद्यालय अभिप्रेत है व जिसमें केंद्रीय सरकार अथवा राज्य सरकार अथवा संघ राज्य क्षेत्र द्वारा नामनिर्दिष्ट प्राधिकरण द्वारा मान्यता प्राप्त कोई अन्य शैक्षिक संस्था शामिल है;”।
3. मूल नियम के, नियम 7 में,-
(i) उप नियम (1) में, दूसरे परंतुक के स्थान पर, निम्नलिखित परंतुक को रखा जाएगा, अर्थात:-
“परंतु यह और कि किसी लघु अस्तित्व, अथवा स्टार्टअप, अथवा शैक्षिक संस्था के मामले में, प्रत्येक दस्तावेज़ जिसके लिए शुल्क विनिर्दिष्ट है, उसके साथ प्रारूप -28 संलग्न होगा।”;
(ii) उप-नियम (3) के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात:-
“(3) ऐसे मामले में जहां किसी प्रकृत व्यक्ति, स्टार्टअप, लघु अस्तित्व अथवा शैक्षिक संस्था द्वारा किसी प्रकृत व्यक्ति, स्टार्टअप, लघु अस्तित्व अथवा शैक्षिक संस्था से भिन्न किसी व्यक्ति को पूर्णतः अथवा अंशतः अंतरित करने के लिए आवेदन पर कार्रवाई की जाती है वहाँ प्रकृत व्यक्ति, स्टार्टअप, लघु अस्तित्व अथवा शैक्षिक संस्था से प्रभारित फीस और प्रकृत व्यक्ति, स्टार्टअप, लघु अस्तित्व अथवा शैक्षिक संस्था से भिन्न व्यक्ति से प्रभार्य फीस की मात्रा का अंतर, यदि कोई हो, नए आवेदक द्वारा अंतरण के अनुरोध के साथ भुगतान किया जाएगा”।

4. मूल नियम में, पहली अनुसूची की सारणी 1 में, शीर्ष और उपशीर्ष, के स्थान पर,
“

प्रविष्टि संख्या	जिस पर संदेय है	संबद्ध प्रपत्र संख्या	ई-फाइलिंग के लिए		वास्तविक रूप में फाइल करने के लिए	
			प्रकृत व्यक्ति (व्यक्तियों) अथवा स्टार्टअप (अप्स) अथवा छोटी कंपनी /(यों) के लिए	अन्य, अकेले या प्रकृत व्यक्ति (व्यक्तियों) अथवा स्टार्टअप (अप्स) अथवा छोटी कंपनी /(यों) के साथ	प्रकृत व्यक्ति (व्यक्तियों) अथवा स्टार्टअप (अप्स) अथवा छोटी कंपनी /(यों) के साथ	अन्य, अकेले या प्रकृत व्यक्ति (व्यक्तियों) अथवा स्टार्टअप (अप्स) अथवा छोटी कंपनी /(यों) के साथ

निम्नलिखित शीर्ष तथा उप-शीर्ष रखे जाएंगे, अर्थात:-
“

प्रविष्टि की संख्या	जिस पर संदेय है	सुसंगत प्ररूप की संख्या	ई-फाइलिंग के लिए		वास्तविक रूप में फाइल करने के लिए	
			प्रकृत व्यक्ति/(व्यक्तियों) अथवा स्टार्टअप/(स्टार्टअपों) अथवा लघु अस्तित्व/(अस्तित्वों) अथवा शैक्षिक संस्था/(संस्थाओं) के लिए	अन्य, अकेले या प्रकृत व्यक्ति/(व्यक्तियों) अथवा स्टार्टअप/(स्टार्टअपों) अथवा लघु अस्तित्व/(अस्तित्वों) अथवा शैक्षिक संस्था/(संस्थाओं) के साथ	प्रकृत व्यक्ति/(व्यक्तियों) अथवा स्टार्टअप/(स्टार्टअपों) अथवा लघु अस्तित्व/(अस्तित्वों) अथवा शैक्षिक संस्था/(संस्थाओं) के लिए	अन्य, अकेले या प्रकृत व्यक्ति/(व्यक्तियों) अथवा स्टार्टअप/(स्टार्टअपों) अथवा लघु अस्तित्व/(अस्तित्वों) अथवा शैक्षिक संस्था/(संस्थाओं) के साथ

5. मूल नियम में, दूसरी अनुसूची में, प्ररूप 28 के स्थान पर निम्नलिखित प्ररूप को रखा जाएगा, अर्थात:-
“

<p style="text-align: center;">प्ररूप 28 पेटेंट अधिनियम, 1970 (1970 का 39) और पेटेंट नियम, 2003 लघु अस्तित्व/ स्टार्ट-अप/शैक्षिक संस्था द्वारा प्रस्तुत किया जाएगा [नियम 2 (चक), 2 (चख), 2 (गक) और 7 देखें]</p>		
1	नाम, पता और राष्ट्रीयता प्रविष्टि करें	<p>मैं/हम -----</p> <p>पेटेंट आवेदन सं. ----- या पेटेंट सं.-----</p> <p>-- के संबंध में आवेदक/पेटेंटी -----</p> <p>-----</p> <p>यह घोषित करता हूँ/ करते हैं कि मैं /हम नियम 2 (चक) के अनुसार एक लघु अस्तित्व या नियम 2(चख) के अनुसार एक स्टार्ट-अप या नियम 2(गक) के अनुसार एक शैक्षिक संस्था हूँ/हैं और निम्न दस्तावेज़ (दस्तावेजों) को सबूत के रूप में प्रस्तुत करता/करते हूँ/हैं:</p>
2	प्रस्तुत किए जाने वाले दस्तावेज़	
	i. लघु अस्तित्व होने का दावा करने के लिए:	

	क. भारतीय आवेदक के लिए: सूक्ष्म, लघु और मध्यम उद्यम विकास अधिनियम, 2006 (2006 का 27) के अधीन रजिस्ट्रीकरण का साक्ष्य	
	ख. विदेशी अस्तित्व के मामले में: कोई अन्य दस्तावेज़	
	ii. स्टार्ट-अप होने का दावा करने के लिए	
	क. भारतीय आवेदक के लिए : नियम 2 (चख) में यथा परिभाषित पात्रता के साक्ष्य के रूप में कोई दस्तावेज़	
	ख. विदेशी अस्तित्व के मामले में: कोई अन्य दस्तावेज़	
	iii. शैक्षिक संस्था होने का दावा करने के लिए	
	क. भारतीय आवेदक के लिए : नियम 2 (गक) में यथा परिभाषित पात्रता के साक्ष्य के रूप में कोई दस्तावेज़	
	ख. विदेशी अस्तित्व के संदर्भ में: कोई अन्य दस्तावेज़	
3	आवेदक (आवेदकों)/ पेटेंटी (पेटेंटीयों)/ / प्राधिकृत रजिस्ट्रीकृत पेटेंट अभिकर्ता द्वारा हस्ताक्षरित किया जाए	यहाँ प्रदत्त सूचना मेरे/हमारे सर्वोत्तम ज्ञान और विश्वास के आधार पर सत्य है।आज तारीख20.....
4	हस्ताक्षर करने वाले प्रकृत व्यक्ति का नाम	हस्ताक्षर.....

[फा.सं. पी-24027/4/2020-आईपीआर-III]

[श्रुति सिंह]
संयुक्त सचिव

टिप्पण: मूल नियम संख्याक का.आ. 493 (अ) तारीख 2 मई, 2003 के द्वारा भारत के राजपत्र, असाधारण, भाग-2, खण्ड 3, उप-खण्ड (ii) में प्रकाशित किए गए थे और अंतिम बार अधिसूचना संख्या सा.का.नि. 689 (अ) तारीख 04 नवंबर, 2020 के द्वारा संशोधित किए गए थे।

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB- SECTION (i)]
MINISTRY OF COMMERCE AND INDUSTRY
(Department for Promotion of Industry and Internal Trade)

NOTIFICATION

New Delhi, the, 2021

G.S.R. -----(E).- Whereas the draft of certain rules, further to amend the Patents Rules, 2003 was published as required under sub-section (3) of section 159 of the Patents Act, 1970 (39 of 1970), *vide* notification of the Government of India in the Ministry of Commerce and Industry (Department for Promotion of Industry and Internal Trade) number G.S.R. 106 (E), dated the 09th February, 2021 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to public;

And, whereas, copies of the Official Gazette in which the said notification was published were made available to the public on the 09th February, 2021;

And, whereas, the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 159 of the Patents Act, 1970 (39 of 1970), the Central Government hereby makes the following rules further to amend the Patents Rules, 2003, namely: -

1. (1) These rules may be called the Patents (Amendment) Rules, 2021.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Patents Rules, 2003 (hereinafter referred to as the principal rules), in rule 2, after sub-rule (c), the following shall be inserted, namely:-
“(ca) “educational institution” means a university established or incorporated by or under Central Act, a Provincial Act, or a State Act, and includes any other educational institution as recognised by an authority designated by the Central Government or the State Government or the Union territories in this regard;”.
3. In the principal rules, in rule 7,-
(i) in sub-rule (1), for the second proviso, the following proviso shall be substituted, namely:-
“Provided further that in the case of a small entity, or startup, or educational institution, every document for which a fee has been specified shall be accompanied by Form-28.”;
(ii) for sub-rule (3), the following sub-rule shall be substituted, namely:-
“(3) In case an application processed by a natural person, startup, small entity or educational institution is fully or partly transferred to a person other than a natural person, startup, small entity or educational institution, the difference, if any, in the scale of fees between the fees charged from the natural person, startup, small entity or educational institution and the fees chargeable from the person other than a natural person, startup, small entity or educational institution, shall be paid by the new applicant along with the request for transfer.”.

4. In the principal rules, in the FIRST SCHEDULE, in Table 1, for the headings and sub-headings,

“

Number of Entry	On what payable	Number of the relevant Form	For e-filing		For physical filing	
			Natural person(s) or Startup(s) or Small entit(y)/(ies)	Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/(ies)	Natural person(s) or Startup(s) or Small entit(y)/(ies)	Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/(ies)

”

the following headings and sub-headings shall be substituted, namely:—

“

Number of Entry	On what payable	Number of the relevant Form	For e-filing		For physical filing	
			Natural person(s) or Startup(s) or Small entit(y)/(ies) or educational institution(s)	Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/(ies) or educational institution(s)	Natural person(s) or Startup(s) or Small entit(y)/(ies) or educational institution(s)	Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/(ies) or educational institution(s)

”

5. In the principal rules, in the SECOND SCHEDULE, for Form 28 the following form shall be substituted, namely:-

“

FORM 28 THE PATENTS ACT, 1970 (39 of 1970) AND THE PATENTS RULES, 2003 TO BE SUBMITTED BY A SMALL ENTITY /STARTUP/EDUCATIONAL INSTITUTION [See rules 2 (fa), 2(fb), 2(ca) and 7]		
1	Insert name, address and nationality.	I/We..... applicant/patentee in respect of the patent application no..... or patent no.....hereby declare that I/we am/are a small entity in accordance with rule 2(fa) or a startup in accordance with rule 2(fb) or an educational institution in accordance with rule 2(ca) and submit the following document(s) as proof:
2	Documents to be submitted	
	i. For claiming the status of a small entity:	
	A. For an Indian applicant: Evidence of registration under the Micro, Small and Medium Enterprises Development Act, 2006(27 of 2006).	
	B. In case of a foreign entity: Any other document.	
	ii. For claiming the status of a startup	

	A. For an Indian applicant: Any document as evidence of eligibility, as defined in rule 2(fb).	
	B. In case of a foreign entity: Any other document.	
	iii For claiming the status of an educational institution	
	A. For an Indian applicant: Any document as evidence of eligibility, as defined in rule 2(ca).	
	B. In case of a foreign educational institution: Any other document.	
3	To be signed by the applicant(s) /patentee(s)/authorized registered patent agent.	The information provided herein is correct to the best of my/our knowledge and belief. Dated this ... day of..... ..20
4	Name of the natural person who has signed.	Signature.....

[F.No. P-24027/4/2020-IPR-III]

[Shruti Singh]
Joint Secretary

Note: The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) *vide* number S.O. 493 (E) dated the 2nd May, 2003 and last amended *vide* notification number G.S.R. 689 (E) dated the 4th November, 2020.

ANNEXURE REFERRED TO IN REPLY TO PARTS (d) & (e) OF THE LOK SABHA UNSTARRED QUESTION NO. 469 FOR ANSWER ON 1ST DECEMBER, 2021.

Scheme for Facilitating Start-Ups Intellectual Property Protection (SIPP)

Introduction

Intellectual Property Rights (IPRs) are emerging as a strategic business tool for any business organization to enhance industrial competitiveness. Startups, with limited resources and manpower, can sustain in this highly competitive world only through continuous growth and development oriented innovations; for this, it is equally crucial that they protect their IPRs. The scheme for Startups Intellectual Property Protection (SIPP) is envisaged to facilitate protection of Patents, Trademark and Designs of innovative and interested Startups.

The Scheme was run on a pilot basis initially, and was in force up to- 31-3-2020. The scheme is now being extended further for a period of three years. However, based on the experience gained from implementation of the scheme so far, certain aspects of the scheme have been amended.

Vision

To protect and promote Intellectual Property Rights of Startups and thus encourage innovation and creativity among them.

Objective

The scheme of SIPP aims to promote awareness and adoption of Intellectual Property Rights amongst Startups. Scheme is inclined to nurture and mentor innovative and emerging technologies among Startups and assist them in protecting and commercialize it by providing them access to high-quality IP services and resources.

Who Can Apply

Any startup recognised in terms of the notification GSR 127(E) published in the Gazette of India dated 19.2.2019, as may be amended from time to time.

The Certificate of Recognition given by DPIIT may be verified from the Startup India web portal <http://www.startupindia.gov.in>.

The startups covered under this scheme will not be required to obtain certificate of an eligible business from the Inter-Ministerial Board of Certification.

However, startups will be required to give a self-declaration that they have not availed funds under any other Government scheme for the purpose of paying the facilitator/patent agent/ trademark agent for filing and prosecuting their IP application.

Empanelment of Facilitators

For effective implementation of the scheme, facilitators shall be empanelled by the Controller General of Patents, Designs and Trade Marks (CGPD TM). The CGPD TM may

revise the list of facilitators from time to time. The list of facilitators was last updated by CGPDTM in February 2020.

The CGPDTM shall regulate conduct and functions of empanelled facilitators from time to time. In case of any complaint by a startup about a facilitator or refusal by facilitator to provide services to the startup or on getting information about professional misconduct through any source, the CGPDTM can remove the facilitator from the panel without notice.

Who can be a Facilitator

- i. Any Patent Agent registered with the CGPDTM.
- ii. Any Trademark Agent registered with the CGPDTM.
- iii. Any Advocate as defined under The Advocates Act, 1961 who is entitled to practice law as per the rules laid down by Bar Council of India from time to time, who is well-versed with the provisions of the relevant Acts and Rules, and is actively involved in filing and disposal of applications for trademarks.
- iv. A government department/ organization/ agency or CPSU (like TIFAC, NRDC, BIRAC, MeitY, CSIR), Patent Information Centres (PICs) through an authorised representative; and Technology and Innovation Centres (TISCs) in accordance with DPIIT Notification No. 5/1/2017-CIPAM, dated 19.11.2018.

However, it is to be clarified that the IP application has to be signed by a person authorized to do so under the provisions of the relevant Act and Rules.

Functions and duties of Facilitators

Among other functions as may be decided by the CGPDTM, facilitators will be responsible for:

- Providing general advisory on different intellectual property rights to Startups on pro bono basis,
- Providing information on protecting and promoting IPRs to Startups in other countries on pro bono basis,
- Providing assistance in filing and disposal of the IP applications related to patents, trademarks and design under relevant Acts at the national IP offices under the CGPDTM
- Drafting provisional and complete patent specifications for inventions of Startups,
- Preparing and filing responses to examination reports and other queries, notices or letters by the IP office,
- Appearing on behalf of startup at hearings, as may be scheduled,
- Contesting opposition, if any, by other parties, and
- Ensuring final disposal of the IPR application.

Period of Scheme

The scheme shall be applicable for a period of 3 years w.e.f. - 1st April 2020.

Fees of Facilitators

Following fees structure will be applicable to the empanelled facilitators, for any number of patents, trademarks or designs that may be applied for by a Startup. The facilitator shall not charge anything from the Startup or the entrepreneur, and this fees shall be paid directly to the facilitator by the Central Government through the office of the CGPDTM and disbursed by the respective IP office.

This structure may be revised from time to time by the [Department for Promotion of Industry and Internal Trade](#).

(Figure in Rs.)

Stage of Payment		Patent	Trademark	Design
At the time of filing of Application		10,000	2,000	2,000
At the time of final disposal of Application	Without Opposition	10,000	2,000	2,000
	With Opposition	15,000	4,000	4,000

Notes for Payment of Fees to facilitators:

- A facilitator shall claim the fee from the IP office as per the stage of work completed.
- The bill for claim of fee shall be accompanied by the self-declaration from the concerned startup that it has not availed of funds from any other Government scheme for the purpose of paying the facilitator/ patent agent/ trademark agent for filing and prosecuting their IP application.
- If any application is withdrawn or abandoned before disposal of application, facilitator shall be entitled to fees only for filing of application and not for disposal of application.
- For claiming the reimbursement of fees, the facilitator shall submit an invoice to the respective IP Office mentioning the Registration ID No. obtained from [DPIIT](#) for the startup in respect of which the IP application is filed by the facilitator.
- In the case of a Trademark application, final disposal of the application implies registration of the Trademark or final rejection of the application (except through withdrawal or abandonment), as the case may be.

Statutory Fees

The cost of the statutory fees payable for each patent, trademark or design applied for by a startup after launch of this scheme shall be borne by the Startup itself.

Budget

The budget for the scheme shall be provided from the funds available with the CGPDTM.

Ownership of IPR

This scheme shall in no way transfer, either wholly or partially, ownership rights on the IPR created to the facilitator or the Government, and the Startup shall have full rights on the IP generated.

Disclaimer

The scheme does not in any way entitle the startup or the facilitator to grant or registration, as the case maybe, of the IPR; the applications shall be disposed off as per the relevant laws and rules.
