



E- Handbook On Patent Registration



“We cannot solve our problems with the same thinking we used when we created them”- Albert Einstein

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1) What is Patent?

A patent is an exclusive right granted for an invention, which is a product or a process that provides, in general, a new way of doing something, or offers a new technical solution to a problem.

It gives an inventor of a particular thing, the exclusive right to make, use and sell his or her creation for a specified period of time.

2) What inventions are patentable?

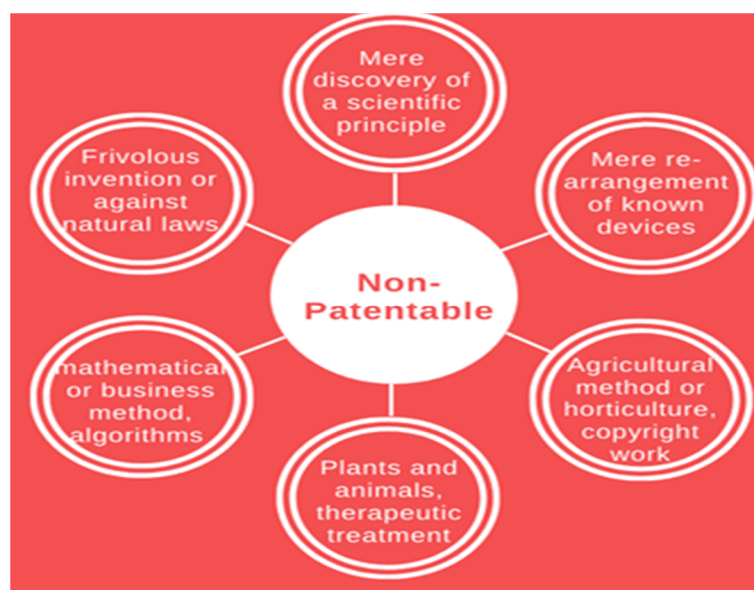
For any asset or an invention to qualify for a patent, it must meet three basic requirements:

- It must be novel and one of its kinds. This means that the particular invention must be new and there should not be any existential trace of it
- It must be unique in itself. An improvement in the current technology by an individual cannot be patented
- It must be useful. It should add value to the life of the common man and it must not benefit or support the use of illegal things or must not be used for any immoral purpose

Some types of inventions (or discoveries) like Issac Newton's law of gravity or Albert Einstein's formula for relativity do not qualify to for this. Simply put, no one can obtain a patent on a law of nature or any scientific principle.

3) What inventions are non-patentable?

Even though the idea of a patent is to safeguard the maker's creation, there are certain things that do not qualify for this according to the Indian law (section 3 and 5 of Indian Patents Act, 1970):



4) Benefits of getting a patent

- Prevents theft of your invention
- The freedom of exclusivity
- Easy to build a merchandise and commercialize
- Higher market share since your idea becomes a brand
- More monetary value and higher profit margin

5) Who can file a patent application?

A patent registration application for an invention can be made by any of the following people either alone or jointly with any other person:

- The true and first inventor
- True and first inventor's assignee
- The representative of the deceased true and first inventor his / her assignee

According to the Patent Act, a "person" is any natural person, company, or association or body of individuals or government body, whether incorporated or not.

In the case of a proprietorship firm, the application should be made in the proprietors' name.

In partnership firms, the names of all personally responsible partners must be included in the patent application.

An assignee can also be a natural person or other than a legal person such as a registered company, an LLP, Section 8 Company, an educational institute, or government.

The applicant is required to disclose the name, address, and nationality of the true and first inventor.

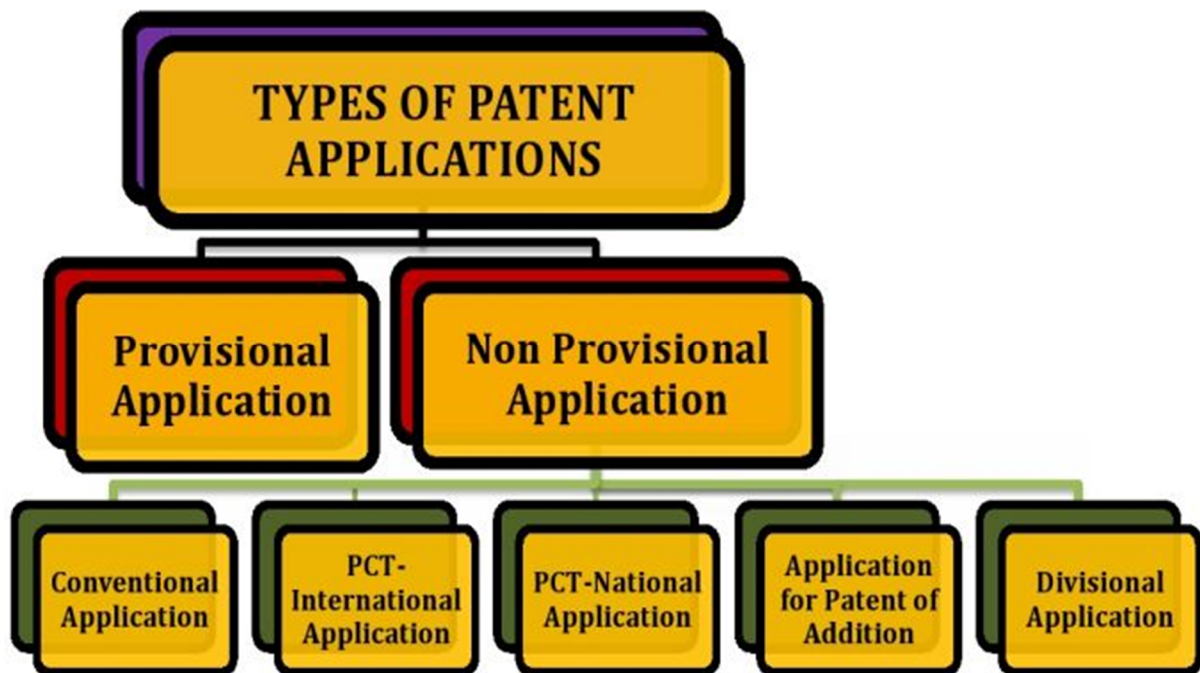
6) At what stage the inventor should apply for Patent?

A patent application should be filed at the stage of the invention when there are substantial details pertaining to the working of the invention.

7) Can I publicly disclose my invention before filing a Patent?

It is not advisable to publicly disclose the invention before filing a patent application. If the invention is publicly disclosed before filing a patent application, the public disclosure will be considered as prior art during examination of the patent application.

8) Types of patent application in India



Provisional application - Also known as a temporary application, a provisional application is filed when an invention is still in the pipeline and has not been finalized. Early filing of a patent will prevent any other related inventions from being designated as prior art to the inventor's application.

This type of patent application is filed when an invention requires additional time for development.

Ordinary or Non-Provisional application - This type of application does not have any priority to claim or if the application is not filed in pursuance of any preceding convention application. A complete specification can be filed through:

Direct Filing: Wherein complete specification is initially filed with the Indian Patent Office without filing any corresponding provisional specification.

Subsequent Filing: Wherein complete specification is filed after the filing of the corresponding provisional specification and claiming priority from the filed provisional specification.

Convention application - The convention application is filed for claiming a priority date based on the same or similar application filed in any of the convention countries.

To avail a status of the convention, an applicant must apply to the Indian Patent Office within a year from the date of the initial filing of a similar application in the convention country.

To re-iterate in simpler terms, a convention application entitles the applicant to claim priority in all the convention countries.

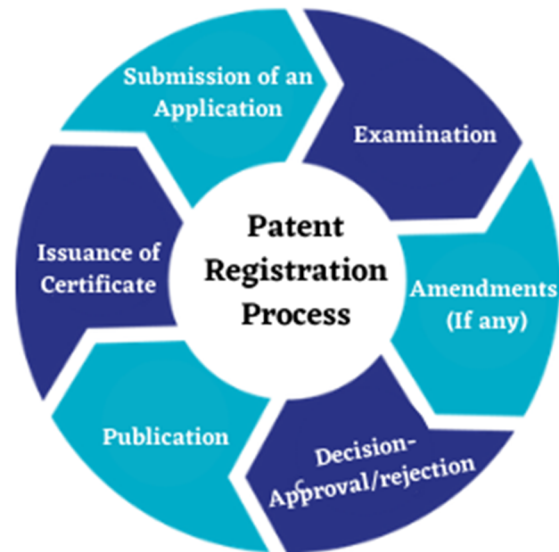
PCT international application - Though the PCT international application does not provide an international patent grant, it paves the way for the streamlined patent application process in many countries at one go.

The Patent Corporation Treaty governs it and can be validated in up to 142 countries. Filing this application will protect an invention from being replicated in these countries.

PCT National application - This application is filed if the applicant discovers that he has come across an invention, a slight modification of the invention that has already been applied for or patented by the applicant. PCT National application can be filed if the invention does not involve a substantial inventive step.

Divisional application - An applicant may choose to divide an application and furnish two or more applications if a particular application claims more than one invention. The priority date for these applications is similar to that of the parent application.

9) How to File Patent application?



Step 1: Write down the invention (idea or concept) with as many details as possible

Collect all the information about your invention such as:

- What is my idea/invention?
- How does it work?
- What problem my innovative idea is solving
- What is the field of my invention?
- What are the advantages of my innovative idea?
- What are the elements or components of my innovative idea?
- Can I draw a block diagram or device or flowchart or sketch that explains my invention in a better way?
- What are the advantages of my invention over existing knowledge that is prior arts?
- Who are the competitors with what product or service etc...

Ideally, if you have worked on the invention during the research and development phase you should have something called a lab record duly signed with a date by you and your respective authority.

Step 2: Include drawings, diagrams or sketches explaining the working of the invention

The drawings and diagrams should be designed so as to explain the working of the invention in better way with visual illustrations. They play an important role in patent application.

Step 3: Check whether the invention is patentable subject matter

All inventions may not be patentable, as per the Indian patent act there are certain inventions that are not patentable explained in detail.

Step 4: Patentability search / Novelty Search (this is an optional step)

The next step would be finding out whether your invention meets novelty criteria as per the Indian patent act? A detailed explanation for all patentability criteria is given here.

The patentability opinion is provided by the patent professionals upon conducting an extensive search and forming a patentability report. In this step, the patent agent or attorney who is working on your invention helps you in finding out whether your invention meets all patentability criteria which are:

- Novelty
- Non-obviousness
- Industrial application

The patentability search is aimed towards finding out the novelty and non-obviousness of the invention, the search identifies the closes possible prior arts (known to the public) relating to your invention, and based on the results obtained an opinion about the patentability of your invention may be provided by a patent attorney.

Based on the results found and reviewed in a patentability/novelty search report, the patentability opinion may be positive, negative or neutral. A positive patentability opinion indicates you stand a good chance to get your patent granted for your invention.

The patentability report and opinion helps you decide whether to go ahead with the patent or not, chances are what you thought as a novel might already be patented or know to the public in some form of information. Hence this report saves lots of time, effort, and cost for the inventor by helping him decide whether to go ahead with the patent filing process or not.

Cost: the professional fees for patent attorney can range from Rs. 12,000 to Rs. 15,000 for performing a patentability / Novelty search

Time: the time required is about 5-7 working days

The outcome of this step:

The outcome of this patentability search report is:

- You get to know about the opinion on the patentability of an invention
- The inventive step and novel feature would be identified when our invention is compared with the closest possible prior art found in the patentability search report
- The patentability search report would give you an overall picture of the state of the art that is the current stage of the technology and you may find some white areas where you can do further research and development
- The inventive step identified via patentability search can be leveraged while writing a patent application and especially claims of patent such that our patent application stands a good chance going through the examination stage to a granted patent.
- In case the patentability opinion is negative, then it saves a lot of cost and time which would have unnecessarily invested in proceeding with patent filing process and eventually getting the application rejected.

Note: in spite of all these benefits of the patentability search, this is an **optional step**. You can choose to directly file the patent application without going for a patentability search.

Step 5a: Draft (write) patent application

Patent drafting/writing is a specialized job, it requires years of practice and experience with patent law to draft a good patent application. To get an idea just read some of the granted patents from your domain. Patent is a techno-legal document, technical as well as legal. Writing patent as a project report or a technical thesis (on your own) and submitting it to patent office would be a mistake which can cause loss of opportunity to patent your invention.

There are many rules and care to be taken while drafting claims, writing detailed descriptions, writing different embodiments of the invention, describing inventive step etc...

This is one of the most important step in life cycle of a patent and a good patent application written by an experienced patent agent / attorney should survive **not only through the examination phase till the grant of patent but also it should survive the commercialization phase** where actual money is made by

licensing or selling patent rights, where competitors should not be able to work around your patent.

Cost: the professional fees for patent attorney can range from Rs. 25,000 to Rs. 40,000 for patent drafting or writing.

Time: the time required is about 8-15 working days

The outcome of this step:

The outcome of this patent drafting stage is:

- A completed patent application that can be filed to patent office
- A patent application well written by an experienced patent agent / attorney that survives through the examination phase, till the grant of patent and commercialization phase.

Step 5b: Filing a patent application in the Patent office

When a patent is drafted and reviewed by the inventor, it would be filed in the government patent office and a receipt would be generated with the patent application number. There are different types of patent applications that would be filed in the patent office as briefly explained below:

The provisional Patent application:

Filing the provisional patent application is the optional step. In case you are at very early stage in the research and development for your invention, then you can go for provisional patent application. It gives following benefits:

- Secures filing date
- 12 months of time to file complete specification
- Low cost

After filing provisional patent application, you secure the filing date which is very crucial in patent world. You get 12 months of time to come up with the complete specification, up on expiry of 12 months your patent application will be abandoned.

Complete patent application: If you have all the required details about your invention (that is implementable details) ready with you; you may proceed with filing complete patent application.

Government forms and fees: Relevant form for patent application is Form 1

E-filing

Particulars	Individual	Small Entity	Other than Small Entity
For Filing Patent Application	1600	4000	8000
For each sheet of Specification in addition to 30 pages	160	400	800
For each claim in addition to 10 claim.	320	800	1600

For more details

https://ipindia.gov.in/writereaddata/Portal/IPOFormUpload/1_11_1/Fees.pdf

Step 6: Publication of the application

Up on filing the complete specification along with application for patent, the application is published after 18 months of first filing. No fees or action is required by inventor in this step. But, if you don't want to wait till the expiry of 18 months, an **early publication request** can be made along with prescribed fees. Generally the patent application is **published within one month** form request form early publication.

Rule 24. The period for which an application for patent shall not ordinarily be open to public under sub-section (1) of section 11A shall be eighteen months from the date of filing of application or the date of priority of the application, whichever is earlier. Provided that the period within which the Controller shall publish the application in the journal shall ordinarily be one month from the date of expiry of said period, or one month from the date of request for publication under rule 24A.

Rule 24A. Request for publication.—A request for publication under sub-section (2) of section 11A shall be made in Form 9.

The early publication request can be made (optional step) with **form 9** and by paying prescribed fess.

Step 7: Request for examination

The patent application is examined only after receiving request for examination that is RFE. Up on receiving this request the controller gives your patent

application to a patent examiner who examines the patent application with different patentability criteria like:

- Does the invention belong to Patentable subject matter?
- Does it have Novelty?
- Does it have Non-obviousness or an Inventive step?
- Is it capable of Industrial application?

The examiner creates a first examination report of the patent application upon reviewing it for above terms. This is called FER (First examination report). Everything step taken with a patent application before grant of patent is generally called as patent prosecution.

The first examination report submitted to controller by examiner generally contains prior arts (existing documents before the date of filing) which are similar to the claimed invention, and the same is reported to the patent applicant.

The fees for request for examination RFE is as below.

E-filing

Particulars	Individual	Small Entity	Other than Small Entity
Express request of examination of application for patent	4000	10000	20000

Particulars	Individual	Small Entity	Other than Small Entity
Request of examination of International Application for patent	5600	14000	28000

Rule 24C. Expedited examination of applications.—

An applicant may file a request for expedited examination in Form 18A along with the fee on any of the following grounds, namely:-

1. That India has been indicated as the competent International Searching Authority or elected as an International Preliminary Examining Authority in the corresponding international application; or
2. That the applicant is a startup.

Important Note: You may also file expedited examination request if you have women as applicant or co-applicant. This is an important strategy to speed up the patent process and reduce the time required from patent filed to patent granted.

Step 8: Respond to objections

Majority of patent applicants will receive some type of objections which would be mentioned in first examination report. You should analyse and understand the examination report with a patent attorney (patent agent) and creating a written **response** to the objections raised in the examination report.

This is a chance for an inventor to communicate his novelty over prior arts found in the examination report. The inventor and patent agent create and send a response to the examination that tries to prove to controller that his invention is indeed patentable and satisfies all patentability criteria's.

Step 9: Clearing all objections

If the response to objections raised in first examination report could not resolve the objections completely then a hearing (meeting in person or on video conference) can be requested. In hearing, you (the inventor) along with patent attorney can discuss with the examiner about the resolution of objections or making changes to the patent application as per the suggestion of the examiner (panel).

This communication (written or in hearing) between patent office and patent application (inventor) is to ensure that all objections raised in the patent application are resolved. (If not the patent will not be granted) and the inventor has his fair chance to prove (argue) his point and establish novelty and inventive step over existing prior arts.

Upon finding the patent application in order of grant, it is a grant to the patent applicant as early as possible.

Step 10: Grant of patent

The application would be placed in order for grant once it is found to be meeting all patentability requirements. The grant of patent is notified in the patent journal which is published time to time.

10) Where to file a patent application?

It is filed electronically using Form-1 and provisional/ complete specification, with the prescribed fee at the appropriate patent office. The jurisdiction of a patent office is decided based on the following:

- Place of residence, domicile, or business of the applicant (first mentioned applicant in the case of joint applicants).
- The place from where the invention originated.
- Address for service in India given by the applicant, when the applicant has no business or domicile place in India (Foreign applicants).

Mumbai Patent Office Jurisdiction

The States of Gujarat, Maharashtra, Madhya Pradesh, Goa, Chhattisgarh, the Union Territories of Daman & Diu, and Dadra & Nagar Haveli fall under the Mumbai Patent Office jurisdiction.

Delhi Patent Office Jurisdiction

The States of Haryana, Himachal Pradesh, Jammu and Kashmir, Punjab, Rajasthan, Uttar Pradesh, Uttarakhand, National Capital Territory of Delhi, and the Union Territory of Chandigarh fall under the Delhi Patent Office jurisdiction.

Chennai Patent Office Jurisdiction

The States of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, and the Union Territories of Pondicherry and Lakshadweep fall under the Chennai Patent Office jurisdiction.

Kolkata Patent Office Jurisdiction

The rest of India, the States of Bihar, Orissa, West Bengal, Sikkim, Assam, Meghalaya, Manipur, Tripura, Nagaland, Arunachal Pradesh, and Union Territory of Andaman and Nicobar Islands fall under the Kolkata Patent Office jurisdiction.

11) Validity of Patent?

Patent registration is valid for 20 years.

12) Can I renew my Patent after expiry?

An expired patent cannot be renewed.

13) Where can one find the information relating to published/ granted patent application?

The information relating to the patent application is published in the Patent Office Journal issued on every Friday. This is also available in electronic form on the website of the Patent Office, www.ipindia.nic.in

14) Does Indian Patent give protection worldwide?

No. Patent protection is a territorial right and therefore, it is effective only within the territory of India. There is no concept of global patent. However, filing an application in India enables the applicant to file a corresponding application for same invention in convention countries or under PCT, within or before expiry of twelve months from the filing date in India. Patents should be obtained in each country where the applicant requires protection of his invention.

INTERNATIONAL PATENT FILING

As per Section 39 of the Indian Patent Act, any inventor of India seeking for International patent are required to file the patent application initially in India. Upon patent application filing in India, the inventor can request for an International patent application within twelve months of the date from the filing of the first patent application. The application for permission for making patent request outside India should be made in Form-25.

The prescribed documents are required at the time of filing Foreign Filing License.

- A description of the invention that sufficiently describes the inventive concept known to the applicant at the time of requesting FFL. Invention title along with drawings (if any) has to be provided.
- Form 25- Application for permission for performing patent license outside India-

https://ipindia.gov.in/writereaddata/Portal/IPOFormUpload/1_37_1/form-25.pdf

- Declaration of the invention, along with the foreign filing license (FFL) form.
- Name and address of inventor's who are resident in India.
- Countries name in which the invention has to be filed and the reason for making such an application.
- Name and addresses of the assignee, if applicable.
- The name of the country or countries in which the patent application is expected to be filed after obtaining the foreign filing license from the Indian patent office.
- Power of Attorney from the inventor's or the applicant who are resident in India, where a patent attorney is appointed to describe them before the Indian Patent Office.
- Form 28- In the event of the applicant is a small entity.
https://ipindia.gov.in/writereaddata/Portal/IPOFormUpload/1_40_1/form-28.pdf

The prescribed fee for applying FFL is tabulated below:

Patent Application for permission for performing patent application outside India	E-filing			Physical filing		
	Normal person	Small entity	Other than a small entity	Normal person	Small entity	Other than a small entity
	Rs.1600	Rs.4000	Rs.8000	Rs.1760	Rs.4400	Rs.8800

Note: Another scenario in which foreign filing license will have to be obtained is when a patent application filed in India, and a subsequent Patent application has to register within six weeks of the date of filing the Indian Patent application.

Processing Time- In case of inventions not related to Atomic Energy: Twenty-one days from the date of filing of such request.

In case of inventions related to Atomic Energy: Twenty-one days from the date of receipt of consent from the Central Government.

15) How do I protect my invention in several countries?

In order to protect your invention in multiple countries you have a few options:



Direct or Paris route:

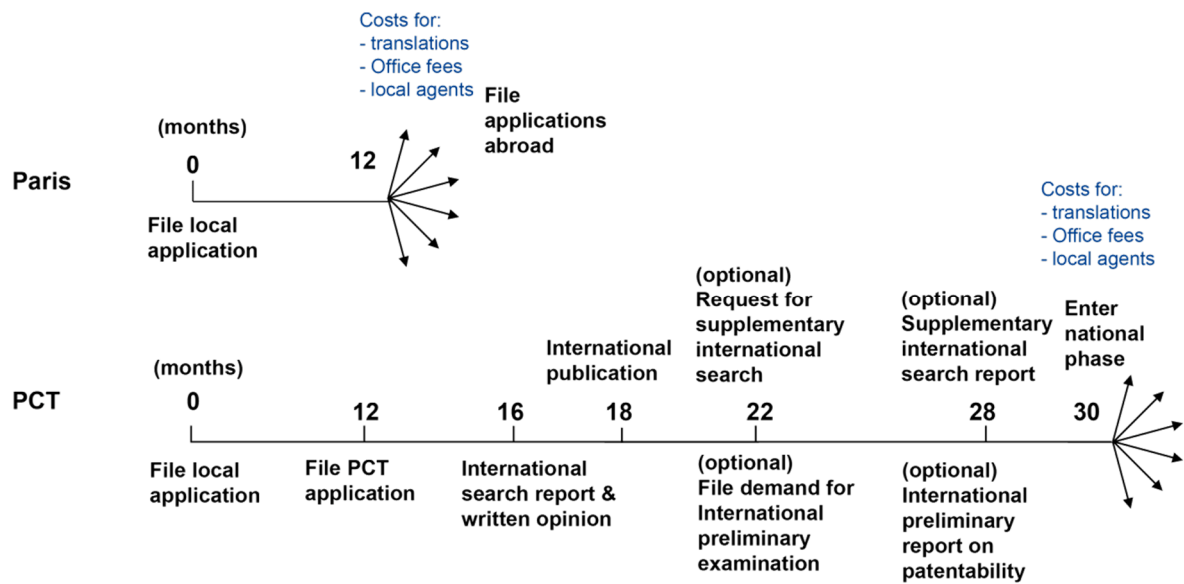
- File separate patent applications at the same time in all countries in national or regional offices.
- File in a Paris Convention country within 12 months from the filing date giving you benefit of claiming this date.



PCT route:

- File an application under the PCT directly or within 12 months period provided by Paris Convention from the filing date which is valid in all Contracting States of PCT.

Comparison of Paris & PCT route

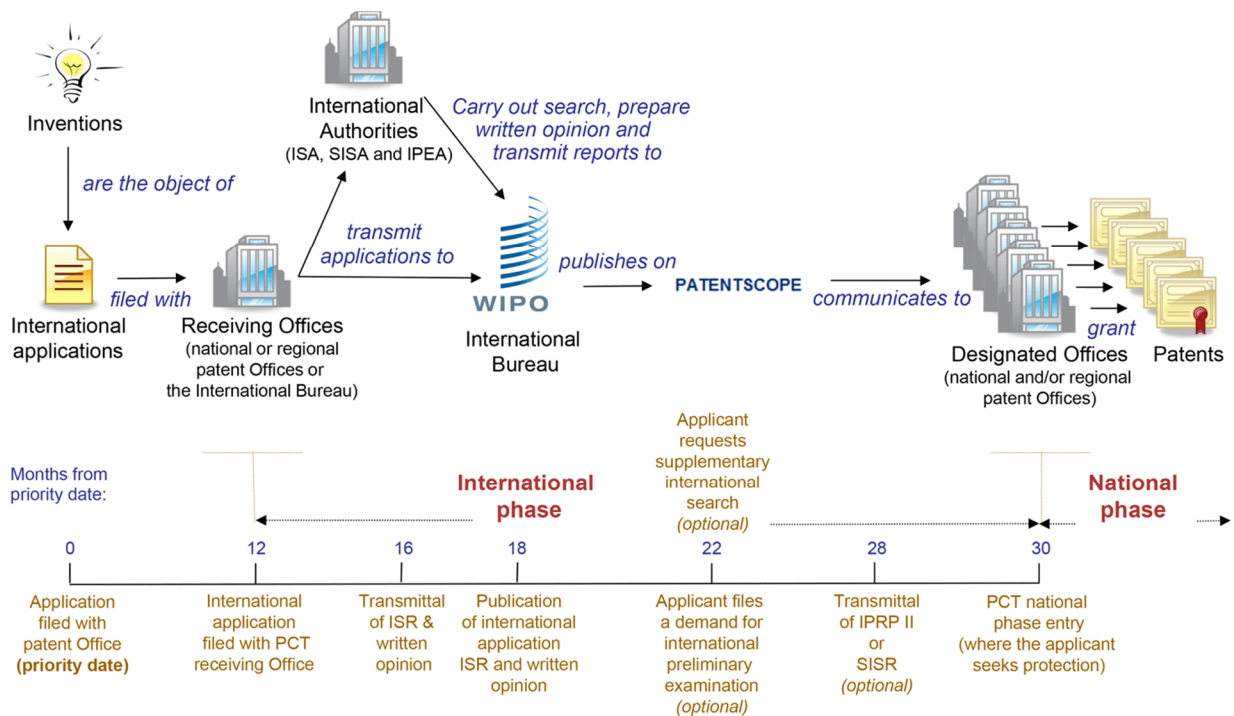


16) What is Patent Cooperation Treaty (PCT)?

The PCT is an international treaty with more than 150 Contracting States. The PCT makes it possible to seek patent protection for an invention simultaneously in a large number of countries by filing a single “international”

patent application instead of filing several separate national or regional patent applications. The granting of patents remains under the control of the national or regional patent Offices in what is called the “national phase”.

17) PCT Procedure



18) Cell for IPR Promotion and Management (CIPAM)



A professional body under the aegis of Department for Promotion of Industry and Internal Trade (DPIIT) which ensures focused action on issues related to IPRs and addresses the identified objectives of the policy. CIPAM assists in simplifying and streamlining of IP processes, apart from undertaking steps for furthering IPR awareness, commercialization and enforcement.

Website- <http://cipam.gov.in/index.php/about/cipam/>

For details contact- <http://cipam.gov.in/index.php/contact-us/>

19) Special Provisions/ Reimbursement Schemes available for Startups for Patent filing

A) SCHEME FOR FACILITATING STARTUPS INTELLECTUAL PROPERTY PROTECTION (SIPP)

SIPP aims at promoting and protecting IPR of start-ups. It mentors innovative technologies among the start-ups and supports them to safeguard these technologies.

Website Link: <http://www.ipindia.nic.in/SIPP.htm>

Who can apply?

- Startup recognized under GSR 180(E) published in part II, section 3, subsection (i) of Gazette of India dated 17/02/2016, as may be amended from time to time.
- Startup recognized under DIPP and the certificate may be verified

Requirements

For patent reimbursement the eligibility is as follows:

- Any start up recognized in terms of the notification GSR 180(E) published in Part II, Section 3, Sub Section (i) of the Gazette of India dated 17.2.2016, as may be amended from time to time.
- The Certificate of Recognition given by DIPP may be verified from the Startup India web portal <https://www.startupindia.gov.in/content/sih/en/startup-scheme.html>
- The start-ups covered under this scheme will not be required to obtain a certificate of an eligible business from the Inter-Ministerial Board of Certification.
- Start-ups have to self-declare that they have not availed funds from any Government scheme to pay the facilitator/patent agent/trademark agent for filing or prosecuting IP application.

The maximum grant per Application/ Proposal

Government to bear facilitation cost: Under this scheme, the Central Government shall bear the entire fees of the facilitators for any number of patents, trademarks or designs that a Startup may file, and the Startups shall bear the cost of only the statutory fees payable.

Stage of Payment	Patent	Trademark	Design
At the time of filing of Application	10000	2000	2000
At the time of final	Without	10000	2000

disposal Application	of	Opposition			
		With Opposition	15000	4000	4000

Rebate on the filing of application: Startups shall be provided an 80% rebate in filing of patents vis-a-vis other companies. This will help them pare costs in the crucial formative years

How to apply: Depending upon the desired sector and jurisdiction of the facilitators, the start-ups have to reach out on a facilitator, to get up to date information about the documents for a patent or trademark application.

Who can be a Facilitator?

1. Any Patent Agent registered with the CGPDTM. - <https://ipindia.gov.in/Facilitators-Patents.htm>
2. Any Trademark Agent registered with the CGPDTM.
3. Any Advocate as defined under The Advocates Act, 1961 and is actively involved in filing and disposal of applications for trademarks
4. A government department/ organization/ agency or CPSU (like TIFAC, NRDC, BIRAC, MeitY, CSIR, etc) through an authorized representative. 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.

Contact details of the Department

Full address: Department for promotion of industry and internal trade
Ministry of commerce and industry,
Udyog Bhawan, New Delhi 110011
Government of India

Email Id: dipp-startups@nic.in

B) SUPPORT INTERNATIONAL PATENT PROTECTION IN ELECTRONICS AND IT (SIPEIT)

As the title says this scheme is to provide financial support for patent protection to MSME units. This initiative is to encourage innovation and recognizing the value of Global IP along with providing growth opportunities to the ICTE sector.

Who can apply?

- The applicant should be registered under the MSME Development Act 2006
OR

- The applicant should be a registered company under the Companies Act of Government of India and Investment limits should be fulfilled according to the MSME Development Act 2006

OR

- **The applicant should be a registered STP unit**

OR

- The applicant should be a technology incubation enterprise or start up

Requirements

For patent reimbursement, the eligibility is as follows:

- The applicant should have already filed a patent application
- The invention must be in Electronics /ICT sector
- The application must be accompanied by a prior art search report
- The patent application should be processed by an Indian patent attorney having at least 5 years' experience in handling International patent applications

The maximum grant per Application/ Proposal

Expenses incurred in **International Patent Protection** will be reimbursed (total reimbursement will not exceed **Rs 15 Lakhs or 50%** of the total expenses, whichever is less) will be in instalments and will be reimbursed as listed below:

Applications filed directly in a foreign country after satisfying the requirements of Section 39:

- 25% of the expenses incurred in Filing for a patent application in respect of foreign geography will be reimbursed.
- 75% of the expenses incurred after filing up to grant will be reimbursed after the grant of the patent.

Applications filed in a foreign country within 12 months of filing a patent application in India (Convention application) i.e. Applicants having already filed a patent application in India for the said invention and then filed abroad within 12 months as per the Paris Convention.

- 25% of the expenses incurred in the Filing of patent applications in respective foreign geography will be reimbursed.
- 75% of the expenses incurred after filing up to grant will be reimbursed after the grant of the patent.

Applications filed through the PCT route:

- 25% of the expenses incurred in filing a PCT application will be reimbursed subject to a positive ISR report.
- 25% of the expenses involved in the examination will be reimbursed if the examination report is positive.
- 25% of the expenses incurred in filing national phase application in a foreign country.
- 75% of the expenses incurred after National filing up to grant will be reimbursed after the grant of the patent.

How to apply?

Applicants desirous of applying under the scheme need to fill-up the form online available at Deity website or ICT-IPR portal i.e. <http://www.ict-ipr.in/sipeit/registration>

Application Procedure

- The applicants are suggested to give complete details in the prescribed format.
- The application will be accepted only if it complies with the eligibility and acceptance criteria as per requirements for consideration of Deity's support.
- The submitted applications will then be scrutinized in-house and will then be put-up for recommendation to an expert group constituted for this purpose.
- Applicants are expected to present the invention to the expert group for consideration.
- The recommended applications will then be processed at Deity for approval.
- Bills in original as provided by the patent attorney firm and proof of actual payment made needs to be provided for initiation of the reimbursement process.

The **procedure to apply online** under the scheme is as follows:

Step I) First of all, go through the brochure thoroughly, and make sure that you fall under the eligibility criteria.

Step II) To apply, you need to create a Login ID, which would be used in further communications.

Step III) After you have created your user account, you can log in and Apply Online for the Scheme. Before proceeding to apply online, kindly make sure that you have read the Guidelines thoroughly and also checked the List of documents to be uploaded during filling up the online application form.

Important Documents required For Reimbursement under this scheme

- In case you are an MSME unit under the MSME Development Act 2006, then upload scanned copy of Registration Certificate in *.pdf format, Or
- In case you are a Company under Companies Act of Government of India then upload scanned copy of Registration Certificate in *.pdf format, Or
- In case you are a registered Software Technology Park of India unit, then upload scanned copy of such Registration, Or
- In case you are a Technology Incubation Enterprise/Startup and registered as a company, then upload a scanned copy of Registration Certificate issued by a competent authority in *.pdf format and a certification from the incubation center/park in *.pdf format
- Upload a scanned copy of last audited Balance Sheet in *.pdf format
- If the Applicant is an employee or Member of Board of Directors, it has to be substantiated by Documentary proof and uploaded in *.pdf format
- Upload the copy of product brochure if any
- Upload the copy of latest Annual Report, if any
- Copy of official filing receipt (OFR) with Indian Patent Office or copy of waiver under section 39 of Indian Patent Act in case of a patent application filed in countries outside India
- If you have applied for PCT/ Paris Convention or Direct International Filing, then upload the copy of proof of the same in *.pdf format(A consolidated copy can suffice)
- Attach the copy of technical write-up of invention duly fill it up as per the format of technical write up and upload the same in *.pdf format
- Upload the patent search report in *.pdf format
- Attach a duly filled scanned copy of Details for transfer of e-payments, as per the format and upload the same in *.pdf format.
- Attach a scanned copy of the Declaration form duly signed and sealed as per the format and upload the same in *.pdf format.
- A statement by the auditor of the enterprise that they fulfill the criteria of investment in plant and machinery or investment in capital equipment (as the

case may be) as stipulated in the MSMED Act 2006. Upload the same in *.pdf format. Any query regarding the scheme can be sent to ipr@meity.gov.in[1]

Contact details of the department

Full Address: Innovation and IPR Division

R&D in Electronics Group

Ministry of Communications and Information Technology

Department of Electronics & Information Technology

Electronics Niketan, 6, CGO Complex, Lodhi Road,

New Delhi-110003

Phone: +91-11-24301715/24364799

Email id: ipr@meity.gov.in

C) PATENT SUPPORT SYSTEM BY KERALA STARTUP MISSION

This scheme has been proposed by the Kerala government, which supports student entrepreneurs to secure their patent. As per Kerala technology startup policy, the cost of filing and prosecution of a patent application will be reimbursed to the startups.

Website Link <https://startupmission.kerala.gov.in/schemes/patent-support>

Who can apply?

Entrepreneurs and student entrepreneurs registered under the Kerala startup mission

Requirements

For patent filing and prosecution reimbursement, the eligibility is as follows:

Startups/ student entrepreneurs in Kerala state, securing a patent

The maximum grant per Application/ Proposal

- Indian patent, up to 2 lakhs
- Foreign patent, up to 10 lakhs

How to apply and Application Procedure

- To apply for the incentive the startup must be registered under the Kerala Startup Mission. Registration can be done online on their website
- Once registration is complete, login id and password will be provided

- After the registrations, the startup can apply online to avail of the benefits under this scheme on the Startup Kerala portal.

Contact details of the department

Full Address: Kerala Startup Mission (KSUM), G3B, Thejaswini, Technopark, Trivandrum

Phone: 0471-2700270

Email: info@startupmission.in

Important links/ Contact details of Patent Facilitators

Form and Fees	https://ipindia.gov.in/form-and-fees.htm
Jurisdiction of Patent Offices	https://ipindia.gov.in/jurisdiction-of-patent-offices.htm
Addresses of Patent Offices	https://ipindia.gov.in/address-of-patents-offices.htm
Patent Facilitators	https://ipindia.gov.in/Facilitators-Patents.htm
Patent E Filing	https://ipindiaonline.gov.in/epatentfiling/user/NewUserRegistration.aspx
Patent Journals	https://ipindia.gov.in/journal-patents.htm
Patent Manual	https://ipindia.gov.in/manual-patents.htm
Startup Intellectual Property Scheme	https://ipindia.gov.in/SIPP.htm