

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

LOK SABHA

**UNSTARRED QUESTION NO. 5642.
TO BE ANSWERED ON MONDAY, THE 2ND APRIL, 2018.**

PENDING PATENT APPLICATIONS

**5642. SHRI JANAK RAM:
SHRI K. PARASURAMAN:**

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

वाणिज्य एवं उद्योग मंत्री

- (a) whether it is a fact that total number of pending patent applications are rapidly increasing and if so, the details thereof and the reasons therefor;
- (b) whether the Government is also contemplating any plan of action to develop infrastructure in all patent offices in the country so as to reduce the pending applications; and
- (c) if so, the details thereof along with the steps taken by the Government in this regard?

ANSWER

वाणिज्य एवं उद्योग मंत्रालय में राज्यमंत्री (श्री सी.आर. चौधरी)

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE & INDUSTRY
(SHRI C.R. CHAUDHARY)**

- (a): 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 at the examination stage. In the month of February 2018, 6235 applications were examined as against 3925 during the corresponding period last year. The pendency at examination stage on 31.03.2017 was 2,04,177, which has come down to 1,72,488 as on 28.02.2018.
- (b) & (c): Patent offices has been established in four cities namely Delhi, Chennai, Kolkata and Mumbai. Necessary physical and IT infrastructure is established in all the patent offices. Steps are undertaken to enhance and upgrade the infrastructure as required. The Government has taken various measures to clear the pending applications, namely:
 - (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 for patent office.
- (iv) IP awareness and training programmes are regularly conducted at Rajiv Gandhi National Institute of Intellectual Property Management (RGNIPM) Nagpur.
- (v) 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.
- (vi) IPO website has been updated to make it more interactive, informative, user-friendly and transparent.
- (vii) 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 has been implemented.

The multipronged approach of legislative and administrative measures undertaken has resulted in an increasing trend in disposal of patent applications.
