



Intellectual Property Rights (IPR) Policy - 2024

**Uttar Pradesh University of Medical Sciences,
Saifai, Etawah, Uttar Pradesh**

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21/5/2024
FRC -

Standard Operating Procedure (SOP)
Intellectual Property Rights (IPR) Cell,
Uttar Pradesh University of Medical Sciences, Saifai, Etawah

I. Context and Introduction

1. Uttar Pradesh University of Medical Sciences (UPUMS) erstwhile Uttar Pradesh Rural Institute of Medical Sciences and Research (UPRIMS&R), Saifai, Etawah was established in the year 2005 to provide quality medical education. The highly conducive atmosphere for learning and the state-of-the-art infrastructure of the university provided vital ingredients for training top quality medical, dental, paramedical, nursing and pharmacy students in undergraduate and postgraduate courses. UPUMS provides technical medical education to the students and endeavors to project itself as one of the leading centers for education and research in medical sciences.
2. In a university or college, Intellectual Property Rights (IPRs) are considered as the outcome of research projects, collaborations, and consultancy services provided by the institutions. Intellectual property rights are one of the important tools that allow creators and innovators to benefit from their investments (both in terms of money as well as time) in creativity and innovation. They may play an important role in providing a competitive edge to an organization, and also help individuals and organizations to build strategic alliances for socio-economic and technological growth. It is therefore important that an IPR cell must be established at UPUMS to meet the needs of its academic fraternity. The IPR cell will provide patent information as a vital input to boost Research and development (R&D) activities and eventually enable the translational activity.
3. This university presently have five faculties, namely, Faculty of Medicine, Faculty of Dentistry, Faculty of Nursing, Faculty of Paramedical Sciences and Faculty of Pharmacy, wherein the University may add more schools, departments and/or research centers in the future. The faculty, students and non-teaching staff of UPUMS are actively involved in research and development in diverse fields. Many such research endeavors may lead to invaluable IPR. Keeping this in mind, the IPR cell of UPUMS aims to encourage, promote and safeguard research and scientific investigations, conducted by the academic and non-academic staff/employee (both permanent and temporary), students/ fellow (undergraduate, postgraduate and research scholars), start-up/spin-off companies generating IPs at the university and external sponsors on the rules and practices of the university for IPRs.
4. This document describes the IPR policy of UPUMS and provides all the relevant information to promote research and development activities at the university.

II. Aim of SOP

The aim of SOP is to lay down the rules, regulations, process and guidelines regarding formation of IPR cell in UPUMS to help various faculties of the university to create a balanced intellectual property eco-system that can fuel creativity and innovations within the university and, as well as, for processing of IPR applications of faculty, students and employees.

III. Types and Definitions of Intellectual Property Rights (IPRs)

1. IPRs are exclusive rights over the creations of the mind. A creator can have exclusive rights over his creation for a certain period depending upon the type of Intellectual Property. IPR can be broadly divided into two categories, viz, Industrial Properties and copyrights.

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a. **Industrial Properties.** Patents, Designs, Trademarks and Geographical Indications fall under industrial properties.

i. **Patent.** Patent is an exclusive privilege/right granted by the government to the patentee for commercial gain in consideration of full disclosure of his invention as a Territorial Right. It is a document issued by a government office (or a regional office acting for several countries), which describes an invention and creates a legal situation in which the patented invention can normally only be exploited (manufactured, used, sold, imported) with the authorization of the owner of the patent.

ii. **Design.** Design means the features of shape, configuration, pattern or ornament or composition of lines or color or a combination thereof applied to any article, in 2D or 3D or both forms. An industrial design refers to the aesthetic aspect of an article.

iii. **Trademark.** Trademark (TM) is a visual symbol which may be a word, name, symbol, brand or device, numerical or combination of colors which is used in trade with goods to indicate the source of the goods to distinguish from the goods of the others. TM performs the following functions:

- a. It identifies the product and origin.
- b. It guarantees its unchanged quality.

iv. **Geographical Indication (GI).** - GI are place names used to identify the source of origin, quality, reputation or other characteristics of products. E.g.: Agra Petha, Darjeeling Tea, Nagpur Oranges etc. Geographical Indication consists of the name of the place of origin. It originates from a definite geographical territory. It is used to identify agricultural, natural or manufactured goods. The manufactured goods should be produced or processed or prepared in that territory. It should have a special quality due to the geographical environment or reputation.

b. **Copyright.** Provide the holder with the right to restrict unauthorized copying & reproduction of an original expression. Copyright deals with the rights of intellectual creators in their creation. Most works, for example, books, paintings or drawings, exist only once they are embodied in a physical object. Copyright protection is required for promoting, enriching and disseminating the national cultural heritage. A country's development depends to a very great extent on the creativity of its people, and the encouragement is given for individual creativity.

2. Definition of various other terms used in this document are at **Appendix 'A'**.

IV. **Constitution of the University IPR cell**

The IPR cell of UPUMS will work under the full supervision and guidance of Vice Chancellor of this university. The IPR cell of UPUMS will have following committee:

Intellectual Property Rights Cell (IPRC): IPRC may consist of up to Twelve (12) members, namely,

- Vice-Chancellor, UPUMS or his/her representative being chairperson of this cell
- A senior faculty as Member Secretary
- Deans of Faculty of Medicine, Dentistry, Nursing, Paramedical sciences and Pharmacy
- One Associate/Assistant professor with good research credentials
- Legal advisor of the university/outourcing
- representative of the finance and accounting department
- An additional member may be appointed at the discretion of Vice chancellor in the form of an external advisor of IPRC who could be a senior official/faculty from an organization with expertise and experience in handling IPRs for smooth implementation of the IPR policy.

V. Purpose of IPR Cell

1. To provide the necessary infrastructure and environment for the development of Intellectual Property.
2. To promote and encourage scientific and technical research activities
3. To establish an IPR policy to encourage faculty, students and staff to conduct research and invent.
4. To encourage and provide incentives to faculty, students and staff who take efforts to create Intellectual Property for commercialization.
5. To promote and encourage faculty, students and staff to work on sponsored research project by way of the industry -Academia partnership.
6. To promote the use of IP created for the benefit of inventors/creators/authors, the university and to support the ecosystem of the nation at all levels.
7. To formulate a policy document of the university, with regular updates, that can act as a guide for dealing with diverse intellectual property-related issues such as ownership of intellectual property, benefit sharing, partnerships, ethical issues, and potential conflicts of interest.

VI. Objective and roles

1. To provide academic freedom for the development of Intellectual Property at the University.
2. To safeguard the interest of the University, inventors/ creators/authors of Intellectual Property and provide a fair distribution of returns accruing from the commercialization of IPRs.
3. To provide legal support through an expert wherever necessary, to identify, process, defend and protect the IPRs obtained by the University against any infringement/ unauthorized use.
4. To create an environment for acquiring new knowledge through innovation and research compatible with the mission for the education of the University.
5. To provide a framework to foster innovation and creativity in the areas of Technology, Science, and Humanities by nurturing new ideas and research in an ethical environment.
6. To protect IPs generated by faculty, students and staff of the University by translating their creative and innovative work into IPRs.
7. To organize guest lectures/ workshops on IPR awareness on recurring basis, to motivate faculty/ students/staff.
8. To prepare an annual budget and put up for approval by higher authorities.
9. The committee will also take a decision about the annual renewal of IPRs fully or partially every year.
10. To maintain details of expenditure and close the annual expenditure report by 31st March.
11. To take decisions over terms and conditions for licensing of Institute owned IPR's to Industry partners.

VII. Evaluation Committee

1. Member secretary will head the Sub-committee in the capacity of chairperson for each proposal. The Member secretary will select at least two faculty members with good research credentials to work as Sub-committee members, depending on the required area of expertise

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for the submitted proposal of IP. The Sub-committee will be responsible for evaluating, the IP application as per the Indian Patent act or any other guiding documents for any other form of IP.

2. The Evaluation Committee (Sub-Committee) will also determine whether UPUMS needs to take responsibility for filing the IPR. If UPUMS does not recommend the processing of IP, then the IP rights will be assigned to the inventors/creators/authors at the cost of the inventor (s).

VIII. Ownership of IP and Allocation of IP Rights

A. Types of Support for Research

Ownership rights over IP generated in a university can vary with the source of funding and resources used for the research that generated the IP. Hence, it is important to understand the different contexts in which IP may be generated within the university. Some of the important contexts in which university would produce IP are:

1. Research undertaken by a researcher in the normal course of his/her appointment/engagement with the university, using *incidental support* from the University;
2. Research undertaken by a researcher in the normal course of his/her appointment/engagement with the University, using *substantial support from the University* (this would also include research projects/ dissertations/ theses undertaken by students under the supervision of a faculty member);
3. Research undertaken by a researcher with *substantial support from an external partner*.

B. Application, Ownership and Allocation of IP

The ownership rights on IP may vary according to the contexts in which the concerned IP was generated. This IPR Policy states a three-tier classification in this regard, i.e., IP generated from research conducted with *incidental support* from the university (**Category I**), IP generated from research conducted with *substantial support* from the university (**Category II**), and IP generated from research conducted with *substantial support from an external partner* (**Category III**). The IPR Policy recommends the following approaches for these three categories:

1. Category I: IP generated from research conducted with '*incidental support from the university*'

- i. Subject to the exceptions provided below, copyright in scholarly, academic and artistic works generated by the researcher with only *incidental support* from the university including books, articles, lecture notes, Open Science -Open Innovation audio or visual aids for giving lectures, films, plays, and musical works shall vest with the researchers. Researcher shall not disclose any outcome of their research work, particularly in the fields of science and technology, before filing of IP application with appropriate IP Office with regard to the work having potential to be protected by patents and other IP where novelty is the prerequisite.
- ii. Copyright in any institutional materials including course syllabi, curricula, exam questions, exam instructions, and papers/ reports specifically commissioned by the university shall vest with the university.


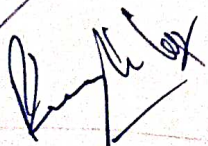


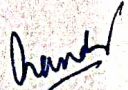
- iii. The ownership rights over any other form of IP generated with *incidental support* from the university, including software, patentable and non-patentable inventions, instrument designs and varieties, and integrated circuits, shall vest with the university.

2. Category II: IP generated from research conducted with 'substantial support from the university'

- i. Copyright in scholarly and academic works generated with *substantial support* from the university, including books, articles, student projects/dissertations/ theses, lecture notes, and audio or visual aids for giving lectures, shall ordinarily be vested with the researcher. However, the university shall have a non-exclusive, royalty-free, irrevocable, and worldwide license to use the IP for research and educational purposes. Researcher shall not disclose any outcome of their research work before filing of IP application with appropriate IP Office with regard to the work having potential to be protected by patents and other IP where novelty is the prerequisite.
- ii. Copyright in films, plays, and musical works, which are created by the researchers with *substantial support* from the University shall vest with the university. However, in the event of commercialization of these outputs, the revenue shall be shared with the researcher at a ratio fixed by the IPR Cell.
- iii. Copyright in any lecture videos or Massive Open Online Courses (MOOCs) produced with *substantial support* from the university shall vest with the university. However, the researcher shall have a non-exclusive, royalty-free, irrevocable, and worldwide license to use such works for teaching and research purposes by the researcher.
- iv. Copyright in any institutional materials including, but not limited to, course syllabi, curricula, exam questions, exam instructions, and papers/ reports specifically commissioned by the university shall vest with the university.
- v. The ownership rights over any other form of IP generated with *substantial support* from the university including but not limited to software, patentable and non-patentable inventions, know-how, designs, plant varieties, and integrated circuits shall vest with the university. However, in the event of commercialization of such IP, the university may engage in benefit sharing as suggested in clause V of this IPR Policy.

3. Category III: IP generated from research conducted with 'substantial support from external partners'

- i. With regard to research conducted with *substantial support* from external partners, ownership of IP shall be determined as per the terms and conditions in the agreement signed between the concerned parties. In the absence of a specific clause in the agreement between the university and the external partner who is providing *substantial support* with regard to copyright in scholarly and academic works generated from such research produced with substantial support from the external partner, university and external partner shall resolve the issue of relinquishing copyrights in favor of researcher. However, the researcher shall grant the university and the funding agency, as the case may be, a non-exclusive, royalty-free, irrevocable, and worldwide license to use the work for any purpose including, sharing it through open access repositories.

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- ii. In the absence of a specific agreement between the university and the external partner who is providing *substantial support* for research, copyright in films, plays, and musical works, which are created by the researchers with *substantial support* from the external partner; university and external partner shall resolve the issue of joint ownership of copyright for sharing the benefits in the proportion of their relative contribution, i.e., the university and external partner. However, in the event of commercialization of these research outputs, the revenue shall be shared with the researcher/ external partner (as the case may) as per the IPR Policy.
- iii. In the absence of a specific agreement between the university and the external partner who is providing *substantial support* for research, copyright in any lecture videos or Massive Open Online Courses (MOOCs) produced with *substantial support* from the external partner university and external partner shall resolve the issue of joint ownership of copyright for sharing the benefits in the proportion of their relative contribution, i.e., the university and external partner. In the absence of a specific agreement between the university and the external partner who is providing *substantial support* for research, any form of IP other than copyright, i.e., patentable and non-patentable inventions, know-how, designs, plant varieties, integrated circuits etc. shall vest with the University, however in exceptional cases wherein the inventors have conveyed that the IPR may not have higher value and prospects in terms of commercialization/technology transfer, the University may provide NOC to outside agencies/University to file the IP in the name of outside agency
- iv. University shall ensure thorough specific agreement with external partner that the copyright in any institutional materials including, course syllabi, curricula, and papers/ reports prepared under the specific instructions of the university shall vest with the university.

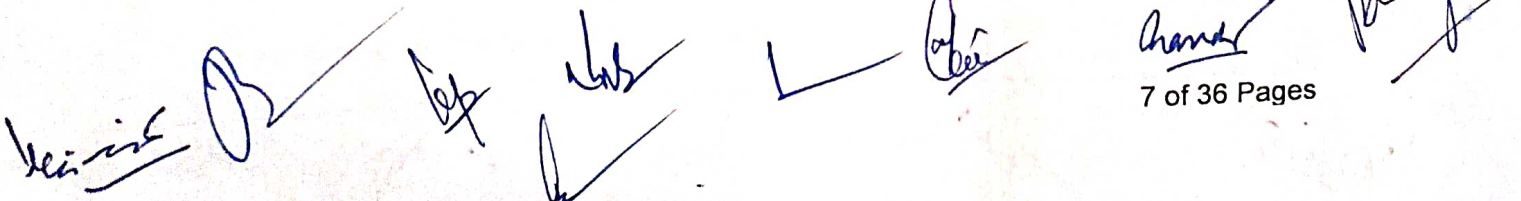
IX. Budget Requirement

The IPR cell should have an independent budget of Rs. 5 Lakh per year, with an annual increment as recommended by IPRC committee. This amount can be revised from time to time as per requirement. This amount will be reflected in the annual budget of UPUMS. From this corpus, IPR filing charges (Indian), travelling allowance (TA) for travel as per entitlement of the cell member for filing of IPR and all IPR related work at the IPR office, Attorney fee and charges for making of digital signature (if required) should be funded 100 percent for processing of applications.

- a. Based on the recommendations of the evaluation committee, the reimbursement of charges for filing of IPR in foreign countries will be decided by the Vice Chancellor/Competent Financial Authority of UPUMS.
- b. In case any additional amount is required by the IPR cell, the Vice Chancellor/Competent Financial Authority, UPUMS may allocate from relevant R&D funds based on recommendations of member secretary of IPR cell.

X. Process for Obtaining Permission from UPUMS to Apply for Indian IPR

1. The inventor shall perform all the required prior work including but not limited to submission of completely filled disclosure form. The checklist about patentability is given at Appendix 'B'.



2. After carrying out prior work and study on patentability, the inventor shall forward the IPR proposal to the IPR cell.
3. Apart from the main IPR committee (IPRC), a **three-member sub-committee (Evaluation committee)** shall be formed to look after the daily operations of IPR filing and maintenance. The sub-committee including Member Secretary along with 2 domain experts, will accept the completely filled disclosure forms, evaluate it and forward it to main committee for final approval along with its recommendations over email/physical meeting. If the main committee doesn't object to any of the aspects of the invention within 7 days, then the sub-committee may deem to assume the approval and proceed ahead with the filing of the IPR.
4. The IPR cell may invite the inventor for presentation before the Committee to establish the eligibility of the application and for its approval.
5. When the Member secretary, IPRC or any member of the IPR Cell applies for IPR, the Vice chancellor will appoint ad hoc Member Secretary Sub-committee for conducting the process.
6. The approval from the IPRC shall be the final approval including but not limited to financial expenditure over filing and maintenance of IPRs.
7. Once approved by IPRC, the applications will be forwarded to the University empaneled attorney for filing.
8. Once approved by the attorney, the applications may be sent to the suitable IPR Facilitation Center/Government Agency as per recommendations of the IPR cell.
9. The workflow for obtaining permission from UPUMS for filing IPR is given at **Appendix 'C'**.
10. After carrying out the above actions, the IPR will be filed. The procedure for the same is given at **Appendix 'D'**.
11. Publication of work, display in a public exhibition before filing for IPR shall not be permitted.
12. In exceptional cases, wherein a Research Publication is about to come in the public domain for an invention, or in cases where experimental data is awaited in the next 12 months, In such cases Provisional patent application may be filed in an expedited mode and the requirement of evaluation period of 7 days by IPRC may be shortened to 2 days.

XI. Procedure for Filing International Patent

1. The Patent Cooperation Treaty (PCT) is an international treaty with more than 145 contracting nations. It is administered by the World Intellectual Property Organization (WIPO). 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.

Steps involved in PCT:

- a. **Filing of the PCT application:** Must be filed before 12 months from the first application (Provisional or Complete Specification whichever is first)
- b. International search by the International Search Authority.
- c. International Preliminary Examination by an International Preliminary Examining Authority (IPEA).
- d. **National Phase:** Filing the application in the desired country of interest.

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2. The IPR cell shall also receive applications for foreign patents. The cell shall scrutinize applications received for the registration of patents in foreign countries. The cell shall recommend the applications for grant of funds, based on the merit of the IP. The final authority for the approval of such grants shall vest with the Vice Chancellor, UPUMS.

XII. Revenue Sharing and Funding

1. When revenue is generated through a university owned IP, distribution of revenue generated out of licensing fee and royalty will be 75% to creator(s) and 25% to the University after deducting the expenses incurred for registration and maintenance of the IP. Out of the 25% share of the university, 50% shall go to the concerned department for the development of R&D infrastructure while the remaining 50% share shall go to IPRC to meet its revenue/ capital expenditure on various activities including maintaining of IPs, filing new IPs, promotion, commercialization, incentivizing the staff at IPR cell and upgradation of the invention along with awareness generation in the university.
2. When research is conducted in collaboration with external partners, ownership of IP shall be determined as per the terms and conditions in the agreement signed between the concerned parties.
3. In case of involvement of a third party, revenue sharing will be done as per a separate MoU/ agreement signed at the time of filing the IP.

XIII. Generation of Fund/ Sponsorship

1. The faculty/students/staff may seek sponsorship from funding agencies/industries/other institutions for processing IPR applications. The entire sponsorship amount should be deposited first into the UPUMS account with the permission of the Vice Chancellor, UPUMS.
2. Faculty/students/staff will have full right for the Expenditure/Utilization of the sponsorship fund. In the case of research work done without sponsorship or with partial sponsorship, UPUMS may provide financial support for the IPR work.

XIV. Disputes and Appeals

1. In case of conflict over the distribution of revenue, UPUMS reserves all the rights of distribution.
2. In case of any dispute/concerns of the aggrieved person(s), the Vice Chancellor, UPUMS will give the final verdict.

XV. Waiver of IP Rights by the UPUMS

Subject to any associated agreements, UPUMS may waive its rights if it decides not to pursue the protection of IP within a fixed period.

XVI. Patent fee for filing of IP Rights

The patent fee prescribed by the government for different categories is mentioned in the

following link for information.
http://www.ipindia.nic.in/writercaddata/Portal/IPOFormUpload/1_11_1/Fees.pdf
(Annexure II)

XVII. References

1. National IPR policy 2016.
2. Guidelines on implementation of IPR policy in Academic institution by CIPAM.
3. [ipindia.nic.in/manuals.htm](http://www.ipindia.nic.in/manuals.htm).
4. <http://www.ipindia.nic.in/>
5. <http://www.copyright.gov.in/>
6. https://www.aicte-india.org/sites/default/files/AICTE%20Brochure_10.09.19.PDF

XVIII. Appendices

1. Appendix 'A' - Definition of various terms used in IPR application
2. Appendix 'B' - Checklist for application under Indian IPR
3. Appendix 'C' - Work flow for obtaining permission from UPUMS
4. Appendix 'D' - Procedure to be followed for filing IPR
5. Appendix 'E' - Intellectual Property Disclosure Form
6. Appendix 'F' - Mutual Non-Disclosure Agreement
7. Appendix 'G' - No objection certificate from Head
8. Appendix 'H' - Details of the Fees and Forms required to be filed for filing IPR
9. Appendix 'I' - List of patent related forms for online Patent filing

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Appendix 'A'

Definition of Various Terms Used in IPR Application

1. **Author:** An author is as defined under Section 2(d) of the Copyright Act, 1957.
2. Section 2(d) defines author, it says "Author" means:
 - a. In relation to a literary or dramatic work, the author of the work;
 - b. In relation to a music work, the composer;
 - c. In relation to artistic work other than a photograph, the artist;
 - d. In relation to photograph, the person taking the photograph, the artist;
 - e. In relation to a cinematograph film or sound recording, the producer; and
 - f. In relation to any literary, dramatic, musical or artistic work which is computer-generated, the person who causes the work to be created.
3. **Collaborative Activity.** is the research undertaken by the personnel in an academic institution, in cooperation with industry and/or another researcher(s), who are not the personnel from the academic institution/university.
4. **Creator.** means the researcher who contributed to the creation of the Intellectual Property (IP) (essentially copyrights, designs, etc.).
5. **External Partners.** Includes Government of India, State Government(s), Local Self-Governments, Government Departments, Foreign Governments, International Organizations, Public Sector Undertakings (PSUs), all types of Private Sector Organizations, Multinational Corporations, Non-Governmental Organizations, and/or other institutions that provide research projects or consultancy assignments to researchers on a regular or irregular basis; or any combination(s) of the above.
6. **Intellectual Property (IP).** Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.
7. **Intellectual Property Rights (IPR).** IPR means ownership and associated rights relating to aforementioned Intellectual Property, either registered or unregistered, and including applications or rights to apply for them and together with all extensions and renewals of them, and in each and every case, all rights or forms of protection having equivalent or similar effect anywhere in the world.
8. The IPRs recognized in India are broadly listed below: -
 - a. **Patent.** As defined under Section 2(m) of the Patents Act, 1970. Defines patent as: "patent" means a patent for any invention granted under this Act.
 - b. **Copyright.** Copyright is a right given to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings. Works are as defined under the Copyright Act, 1957. The Copyright Act, 1957 protects original literary, dramatic, musical and artistic works and cinematograph films and sound recordings from unauthorized uses. Unlike the case with patents, copyright protects the expressions and not the ideas. There is no copyright in an idea.
 - c. **Trademark.** As defined under Section 2(b) of the Trade Marks Act, 1999

"Trademark" means a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include shape of goods, their packaging and combination of colours; and



i. in relation to Chapter XII (other than section 107), a registered trademark or a mark used in relation to goods or services for the purpose of indicating or so as to indicate a connection in the course of trade between the goods or services, as the case may be, and some person having the right as proprietor to use the mark; and

ii. in relation to other provision of this Act, a mark used or proposed to be used in relation to goods or services for the purpose of indicating or so to indicate a connection in the course of trade between the goods or services as the case may be, and some person having the right, either as proprietor or byway of permitted user, to use the mark whether with or without any indication of the identity of that person, and includes a certification trademark or collective mark;

d. **Design.** As defined under Section 2 (d) of the Designs Act, 2000. "Design" means only the features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye; but does not include any mode or principle of construction or anything which is in substance a mere mechanical device, and does not include any trade mark or property mark as defined in section 479 of the Indian Penal Code or any artistic work as defined in clause (c) of section 2 of the Copyright Act, 1957;

e. **Geographical Indication.** As defined under Section 2 (e) of the Geographical Indications Act, 1999. "Geographical indication", in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristics of such goods is essentially attributable to its geographical origin and in a case where such goods are manufactured goods one of the activities of either the production or of processing or preparation of the goods concerned takes place in such territory, region or locality, as the case may be.

Explanation: For the purposes of this clause, any name which is not the name of a country, region or locality of that country shall also be considered as the geographical indication if it relates to a specific geographical area and is used upon or in relation to particular goods originating from that country, region or locality, as the case may be.

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Appendix 'B'
Checklist For Application Under Indian IPR

1. An invention cannot be patented if already published/publicly displayed.
2. Inventions/Innovations falling under the category of Section 3 & 4 of the Indian Patents Act 1970 cannot be patented in India.
3. Attribution or Citation should be done wherever references have been sourced from other work(s).
4. Keep a record of all legal or related document.
5. Check thoroughly regarding names/brands before choosing a trademark.

The Patents Act, 1970

Section 3- Inventions not Patentable

1. What are not inventions?

The following are not inventions within the meaning of this Act:

- a. An invention which is frivolous or which claims anything obviously contrary to well established natural laws;
- b. An invention, the primary or intended use or commercial exploitation of which could be contrary to public order or morality or which causes serious prejudice to human, animal or plant life or health or to the environment;
- c. The mere discovery of a scientific principle or the formulation of an abstract theory or discovery of any living thing or non-living substance occurring in nature;
- d. The mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy of that substance or the mere discovery of any new property or new use for a known substance or of the mere use of a known process, machine or apparatus unless such known process results in a new product or employs at least one new reactant.

Explanation- For the purposes of this clause, salts, esters, ethers, polymorphs, metabolites, pure form, particle size, isomers, mixtures of isomers, complexes, combinations and other derivatives of known substance shall be considered to be the same substance, unless they differ significantly in properties with regard to efficacy;

- e. A substance obtained by a mere admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such substance;
- f. The mere arrangement or re-arrangement or duplication of known devices each functioning independently of one another in a known way;
- g. A method of agriculture or horticulture;
- h. Any process for the medicinal, surgical, curative, prophylactic diagnostic, therapeutic or other treatment of human beings or any process for a similar treatment of animals to render

them free of disease or to increase their economic value or that of their products.

- i. Plants and animals in whole or any part thereof other than microorganisms but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals;
- j. A mathematical or business method or a computer program *per se* or algorithms;
- k. A literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever including cinematographic works and television productions;
- l. A mere scheme or rule or method of performing mental act or method of playing game;
- m. A presentation of information;
- n. Topography of integrated circuits;
- o. an invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components.

Section 4

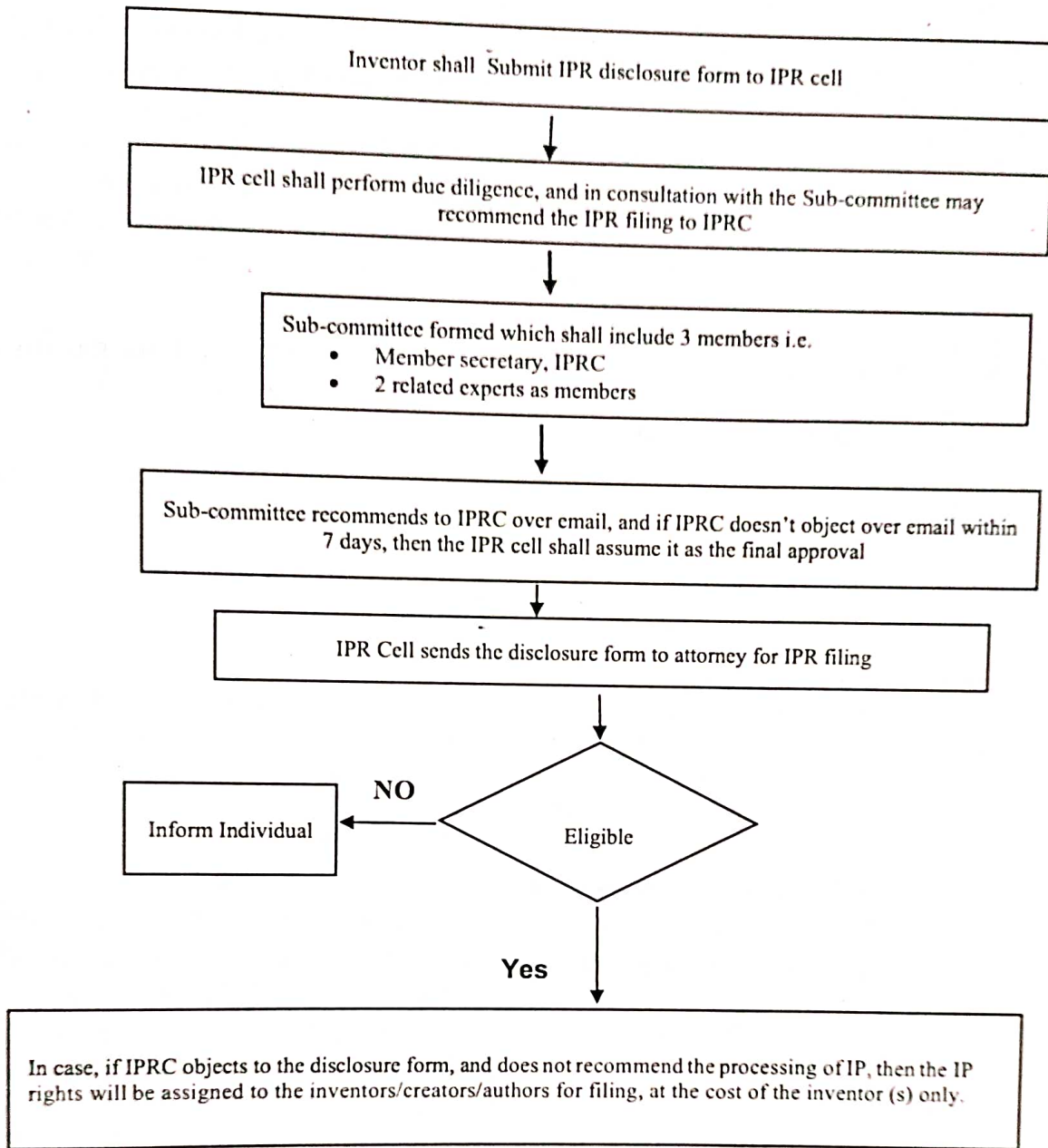
Inventions Relating to Atomic Energy Not Patentable

No patent shall be granted in respect of an invention relating to atomic energy falling within sub-section (1) of section 20 of the Atomic Energy Act, 1962 (33 of 1962).

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A signature on the right, possibly "Dipak".
A signature at the bottom right, possibly "Anand".

Appendix 'C'

Work Flow for Obtaining Permission From UPUMS



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Procedure to be Followed for Filing IPR

1. **Patent Filing.** / Inventors can file a patent in two ways:

- (a) The inventor can file the patent on his/her own, if allowed by IPRC
- (b) The Inventor can take the help of a patent filing professional or agency, as recommended by the IPRC

- Step 1: Write down the details of the invention (idea or concept)**
- Step 2: Include drawings, diagrams, or sketches explaining the working of the invention**
- Step 3: Check whether the invention is patentable subject matter**
- Step 4: Conduct the Patentability search**

The next step is to check whether your invention is patentable as per the Indian Patent act. Check the following aspects:

- a. Novelty.
- b. Non-obviousness.
- c. Industrial application.

Step 5: Filing the patent application:

Drafting the patent application (**Intellectual Property Disclosure Form**, Appendix E) and submitting it to the Patent Cell Office of UPUMS; the Patent application can be with Provisional Specification or Complete Specification. In case a Provisional Application is filed, the complete specification has to be filed within 12 months of the date of filing of the Provisional Specification.

Step 6: Publication of the application:

After filing the complete specification along with the Patent application, the application is published after 18 months of first filing. The inventor can also make an early publication request along with prescribed fees. The patent application is published within a month in case of an early publication request. As an Educational Institute, the Patent applications shall be filed along with Form-9 for expedited publication of the Patent application.

Step 7: Request for examination:

The patent application is examined only after receiving a request for the examination. As per the rules of the patent application process in India, the patent is thoroughly examined based on the merits of the invention as claimed in the patent application form. The patent office queues the application for examination only after a formal request for examination is made. The process can be expedited by submitting an appropriate form. As an Educational Institute, the Patent applications shall be filed along with Form-18A for expedited examination of the Patent application.

Step 8: Grant of patent:

The communication between controller and patent applicant will ensure that all objections raised in the patent application are resolved. If the examiner finds no objections in the patent application, he grants the patent. The patent is then published in the official patent gazette. Preparing and filing a new PCT application is optional. In order to motivate the inventors of the Patent application, Form-8 (to reflect the

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names of the inventors over grant certificates), all patent applications must be filed along with Form-8.

2. Copyright Filing.

Step 1: File an application

The author of the work files an application either physically in the copyright's office or through speed/registered post or through e-filing facility available on the official website (www.copyright.gov.in). Along with the application, the requisite fee must be paid. The fee may vary depending on the type of copyright and the type of work.

Step 2: Examination

In the next step, the examination of the copyright application takes place. Once the diary number is issued, there is a minimum of 30 days waiting period. In this period, the copyright examiner reviews the application. The period of waiting will also allow the objections to be reviewed. The process gets divided into two segments:

- (a) If no objections are raised, the examiner goes ahead to review and scrutinize the application to find out any discrepancies. If some discrepancies are found, a letter of discrepancy is sent to the applicant. Based upon his reply, a hearing is conducted by the registrar. Once the discrepancy is resolved, the applicant is allowed to move forward to the next step.
- (b) In case objections are raised by anyone against the applicant, letters are sent to both parties and they are called to be heard by the registrar.

Step 3: Registration

In this step, the registrar might ask for more documents. Once completely satisfied with the copyright claim made by the applicant, the Registrar of Copyrights would enter the details of the copyright into the register of copyrights and issue a certificate of registration. The registration process of copyright is completed when the applicant is issued the Extracts of the Register of Copyrights (ROC).

3. Trade Mark Filing.

Step 1: Application filing

The application for registration of a Trademark must be made in the prescribed manner and filed along with the fee for trademark registration. Trademark applications can be filed online on the Trademark Registry portal or through a Trade Mark agent.

Step 2: Trademark Application:

A trademark application number is provided on filing of the application.

Step 3: Trademark Examination

The Trademark Examiner would issue a trademark examination report after reviewing the application for correctness and according to the provisions of the Trademarks Act. The Trademark Examiner shall issue an examination report to the applicant or its attorney; the response to the Examination report has to be submitted with 30 days from the receipt of the report. The Trademark Examiner may in certain applications accept the trademark registration application and allow for the trademark to be published in the Trademark journal.

Step 4: Trademark Journal Publication

Once accepted, the proposed trademark is published in the Trademark Journal which shall on publication be open for opposition by any interested party within 4 months from

the date of publication.

Step 5: Trademark Registration

After clearing the objections or oppositions for the trademark application, the trademark registration certificate will be issued by the Trademark Registry to the applicant. Once the trademark registration certificate is issued, the trademark is considered to be a registered trademark of the owner, granting the trademark owner exclusive use of the mark. The life of a Trademark is 10 years which then has to be renewed for 10 years.

4. Geographical Indication Filing.

Step 1: Filing of the Application

Every application for the registration of a geographical indication shall be made in the prescribed form accompanied by the prescribed fee.

Step 2: Preliminary scrutiny and examination

The Examiner will scrutinize the application for any deficiencies. The applicant should clarify the same within one month of the communication in this regard. Thereafter, an Examination Report would be issued.

Step 3: Show cause notice

If the Registrar has any objection to the application, he will communicate such objection to the applicant. The applicant must respond within two months or apply for a hearing. The Registrar may not accept the application, if the objections raised are not clarified by the applicant.

Step 4: Publication in the geographical indications Journal

Every application, within three months of acceptance, shall be published in the Geographical Indications Journal.

Step 5: Opposition to Registration

Any person can file a notice of opposition within three months (extendable by another month on request which has to be filed before three months) opposing the GI application published in the Journal. The registrar shall serve a copy of the notice on the applicant. Thereafter, both sides will lead their respective evidence by way of affidavit and supporting documents.

Step 6: Registration

Where an application for a GI has been accepted, the registrar shall register the geographical indication. The registrar shall issue to the applicant a certificate with the seal of the Geographical indications' registry.

5. Design Filing.

Step 1: Application filing

Any person claiming to be the proprietor of any new or original design may apply for registration.

Step 2: First Examination Report (FER) by the Indian Design Office

A First Examination Report (FER) is issued for defects in the application (if any) within six months from the date of filing of the application.

Step 3: Reply to FER by the applicant

The reply must be given within 6 months from date of filing: Extension of time up to 3 months is available upon payment of a prescribed fee.

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Step 4: Registration

In case of any deficiencies and discrepancies, the applicant is required to rectify the same within a period of one month of its communication. If no serious objections are pending, the design gets registered.

Step 5: Publication

Once an application is registered, it is published in the Patent Office Journal ordinarily within one month.

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Appendix E

Intellectual Property Disclosure Form

1. Title of the invention:

2. Innovator(s) who have contributed or conceived an essential element of the invention, either independently or jointly with others during evolution of the technology concept or reduction to practice:

(i) Name:
Nationality:
Designation:
Departmental Address:
Contact Numbers :
Email ID :
Course name (For Students):
Home address (For students):

(ii) Name:
Nationality:
Designation:
Departmental Address:
Contact Numbers :
Email ID :
Course name (For Students):
Home address (For students):

(iii) Name:
Nationality:
Designation:
Departmental Address:
Contact Numbers :
Email ID :
Course name (For Students):
Home address (For students):

(iv) Name:
Nationality:
Designation:
Departmental Address:
Contact Numbers :
Email ID :
Course name (For Students):
Home address (For students):

**Inventors are requested to provide their Full Name (without initials), Designation (e.g Professor / Associate Professor / Assistant Professor, Medical Officer / MD/MS / MBBS / Pharmacy/Nursing/Para-medical course Student), Contact Number (Personal), Email ID)*

**Students are advised to provide their home address as well.*

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3. Non-Confidential description of the invention in layman's Language:

A. Abstract in 100 words
B. Use Case
<i>Please consult examples provided in Annexure along with this form for filling this section</i>
C. Keywords

Please be noted that the above keywords will be utilized by the IPR Cell for preparing Patent Search Report

Note: Please note that the above information alone will be circulated to several agencies for technology commercialization purposes once the patent is filed. Thus, the fields should be self-explanatory to highlight commercialization potential.

4. How does this invention relate to new processes, machines, compositions of matter, etc.?
Please cover the following points:

- (a) Describe the invention in detail for technical evaluation. Please use additional sheets for sketches, drawing, photographs and other materials that help to illustrate the description.
- (b) What is Novel in the invention?
- (c) What is the "inventive" step in your invention? Is the step non-obvious to a person from related fields?
- (d) What are the advantages of the present invention over comparable inventions available in patent literature? Please attach a summary of your patent search*.
- (e) NOTE: The inventors should go through the Patent Search report carefully and write the difference between his/her invention and each content of the patent search.
- (f) Has the invention been tested experimentally? Are experimental data available?

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(g) Technology Readiness Levels (TRL) description (mention the applicable stage of TRL given below). Please Mark as Appropriate with adequate justification.

- TRL-1
Research Idea**
(Potential Application/Basic Principles observed)
- TRL-2
Applied Research Idea**
(Hypothesis testing and initial proof of concept is demonstrated in a limited number of trials)
- TRL-3
Project Plan**
(Device Characteristics documents & project proposal completed, Proof-of-concept phase)
- TRL-4
Design and Development**
(POC & Safety of device demonstrated by prototype design)
- TRL-5
Standardization**
(Validating the result of the prototype by testing in simulated environment)
- TRL-6
Preclinical Evaluation**
(Clinical trials of functional prototype)
- TRL-7
Technology Transfer**
(Technology transfer of the developed system)
- TRL-8
Clinical Evaluation**
(Evaluation of the system by clinical trials or demonstration)
- TRL-9
Commercialization**
(Commercialization & Post Market Surveillance)

(h) **Need and Demand**

(Technology gaps addressed in domestic & international markets, pain points of Industry which are being resolved)

(i) **Market Access Information**

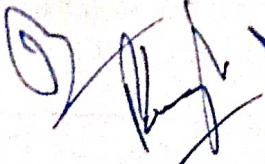




(Current Global & domestic Scenario, market size & CAGR)

(j) **Future Developments**

(Scope of future technology development and their application)

(k) **Application/s of the invention**

(Please refer to Appendix-E)

Verma     

5. IPR Ownership

- (a) Was the intellectual property created with the significant use of funds or facilities of UPUMS?
- (b) Please describe any source of funding for the invention (Name of the funding agency and copy of agreement, letter of intent if any, must be enclosed with this form).
- (c) What is the source of Salary/Remuneration of inventor/Co-inventor?
- (d) Have you presented in any conference, seminar, etc., if yes, please give details?
- (e) Have you published full/part of this invention, if yes, please give copy of publications?
- (f) Was the intellectual property created in the course of or pursuant to a sponsored/consultancy research agreement with UPUMS? If yes, please enclose a copy of MOU with concerned project.
- (g) Was the intellectual property created as a part of academic research leading towards a degree or otherwise?
- (h) **Revenue sharing among inventors:** Please disclose the extent of contribution of each inventor in the invention in percentage terms for revenue sharing.

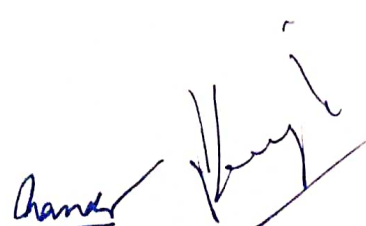
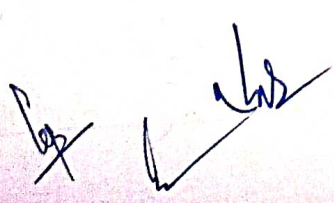
<u>Name of the inventor</u>	<u>Percentage of share*</u>	<u>Signature</u>
1.		
2.		
3.		
4.		

* If this column is not filled and signed then it will be assumed that all inventor(s) have equal contribution

6. Commercial potential

Give brief description of potential commercialization by specifying

- a) Why should the individual(s)/organization may consider procuring this innovation?
- b) These questions are related to the question 4 (i) above:
 - i. In your opinion what are the steps/processes must be undertaken by the procurer to commercialize the use of this innovation?
 - ii. How long may it take to reach the commercial stage by the procurer?



- c) Please give specific list of companies and contact details of concerned person who can be contacted for initiating Technology Licensing

Sr. No.	Name of Companies	Name of the contact person	Contact no.

(*Unsigned & Incomplete IPDF forms shall not be accepted).

- d) Do you want to file Patent under PCT Route in other countries?

Yes

No

*PCT & Foreign filing is subject to monetary support from the inventor(s) Project / Personal Account. If the above option is marked "yes", kindly provide the Project Account Details from which the filing cost could be reimbursed.

Project Account Name:

Project Account No.:

***The university shall file patent under PCT route only in those cases wherein industry/company has exhibited interest for commercialization.**

Disclaimer: I/We declare that before the submission of this disclosure form or/and during the process of filing this invention as an IPR prospect, I/We will not publish the above information in public domain.

I/We also give consent to UPUMS, Saifai being the applicant of this IPR prospect, that they may use this disclosure upon their discretion, which will not be limited to publication on e-auction website, Industry meets & different portals for promotional & licensing purposes.

Signature of Inventor with date

Signature of Inventor with date

Signature of Inventor with date

Signature of Inventor with date

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Illustrated examples for mentioning use case of Product/ Process

1. ***“Antibacterial Nano breathing Nasal Filter” having application in***

Many people use face mask for breathing pollution free air, but the main constraint in breathing is decrease in breathing flow rate. The innovation described herein relates to a nasal air filter, and more particularly, the invention relates to a nasal air filter based on nanotechnology for breathing by human beings that has antibacterial feature, which can mimic the natural breathing process i.e. 12-15 lpm and is comfortable to use. The nasal filter will be useful for people living in polluted cities as well persons having allergy and suffering from Asthma & Bronchitis.

2. ***“Classification of Hard and Soft Taps on Capacitive Touch Screen” having application in below mentioned use case:***

We all use capacitive touch screens, on a series of devices starting with smart watches, smartphones tablets laptops and desktops. The only thing you can do on the present touch screens is to indicate a location, by touching it there. It doesn't matter whether you touch it hard or lightly - the touch is definitely not 3D. iPhone X has attempted to introduce this feature (force touch) by including expensive special pressure-sensitive hardware. We adopt a different approach, that requires you to only install an app on the existing device. With this the same touch screen that you have been using now becomes sensitive to at least two levels of pressure, light and heavy. Every other app developer can now exploit this feature and provide more sophisticated user interfaces which can distinguish levels of touch. The possibilities are limited only by the imagination. As the technology matures, a larger number of levels of touch is likely to be supported.

3. ***“A method of measuring BMP signaling using BMP responsive reported cell line” having application in***

Bone Morphogenetic Protein (BMP) signaling is necessary and sufficient for bone formation. It is present in several biological samples measurement of which may have diagnostic value. However, at present there is no sensitive method of detecting BMP proteins in a biological sample. In this disclosure we describe creation of a cell line based sensitive and accurate method of estimating BMP proteins in any specimen.

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Appendix F

MUTUAL NON-DISCLOSURE AGREEMENT

This Non-Disclosure Agreement (hereinafter referred to as the Agreement) is entered on _____ ("Effective Date") by and between

Uttar Pradesh University of Medical Sciences, Saifai, Etawah, a research and educational institution of national importance, established by an Act no.15 of 2016 of the state legislature of Uttar Pradesh as a State University vide notification no. 742(2)/LXXIX-V-1-16-1(ka)-7-2015 dated 17.05.2016, hereinafter referred to as "UPUMS", of the FIRST PART.

and

_____, a Company registered under _____ having its address at _____, hereinafter referred to as _____, which expression shall unless repugnant to the subject or the context mean and included its successors, nominees or assigns) of the SECOND PART.

The aforesaid institutions are hereinafter referred to individually as the Party and collectively as the Parties.

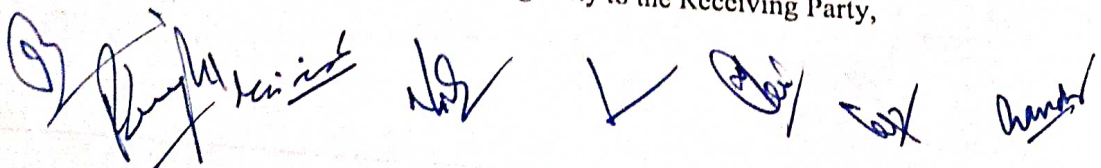
_____, Department of _____, UPUMS will receive/disclose Confidential Information on behalf of UPUMS from/to _____ for the Purpose of this Agreement. He/She and his/ her team will execute the obligations of non-disclosure of Confidential Information received from _____.

I. RECITALS

UPUMS and _____ wish to disclose certain information pertaining to "_____ (hereinafter referred to as Purpose). This Agreement will apply to all confidential and proprietary information disclosed by a Party (Disclosing Party) to the other Party (Receiving Party) and includes information which the Disclosing Party identifies in writing or otherwise as confidential before or within thirty days after disclosure to the Receiving Party ("Confidential Information"). For purposes of this Agreement, the term "Confidential Information" means (1) any information concerning the business, products, Trade Secrets, services or personnel of any Party or any affiliated company, or (2) any other information, whether owned by the Party or any third party, that is designated as "Confidential" or "Proprietary," and that is provided to the other Party. "Trade Secrets" shall mean confidential or proprietary information of any Party that has economic value or provides a business advantage to that Party and that such Party takes reasonable steps to keep confidential. This exchange includes all communication of information between the Parties in any form whatsoever, including oral, written and machine-readable form, pertaining to the above which is indicated as confidential.

A. The Party wishes to disclose to the other Party information regarding the Purpose and certain parts of the Information disclosed by it is to be kept secret and to be protected from unauthorized disclosure or use which is:

1. Disclosed by or on behalf of the Disclosing Party to the Receiving Party,



2. Otherwise learned or ascertained by the Receiving Party from inspection and/or evaluation of sample(s) identified by the Disclosing Party as confidential and provided to the Receiving Party by or on behalf of the Disclosing Party (sample(s)) and/or,
3. Otherwise learned or ascertained by the Receiving Party from the Disclosing Party.

B. UPUMS and _____ are willing to exchange Confidential Information on the terms and conditions set forth herein.

II. AGREEMENT

In furtherance to the above mentioned, UPUMS and _____ agree to the following:

1. Such Confidential Information shall be disclosed in documentary or tangible form and to the extent marked to indicate its confidential nature. In the case of such Confidential Information disclosed orally or visually, the Disclosing Party shall confirm in writing the fact and general nature of each disclosure within (30) days after it is made.
2. The nature and scope of such Confidential Information to be disclosed shall be in the sole discretion of the Disclosing Party.
3. The use of Confidential Information to this Agreement is neither a sale nor offer for sale and is for use related to Purpose.
4. The Parties appoint the following representatives to monitor, receive, disclose and handle such Confidential Information:

For UPUMS

For _____

Any change in representatives shall be made upon written notice to the other Party to this Agreement.

5. The Receiving Party will not disclose Confidential Information of the Disclosing Party to any other person and use at least the same degree of care to maintain the Confidential Information as Receiving Party uses in maintaining its own confidential information, but always at least a reasonable degree of care; due diligence will be taken by both the Parties in maintenance of Confidential Information.
6. The Receiving Party will use the Confidential Information only for the above-mentioned Purpose.
7. The Receiving Party will restrict disclosure of the Confidential Information of the Disclosing Party solely to relevant division of the Receiving Party having a need to know such Confidential Information in order to accomplish the Purpose stated above.
8. The Receiving Party will advise relevant division, before it receives access to the Confidential Information, of the obligations of the Receiving Party under this Agreement, and require each such employee of relevant division to maintain those obligations.
9. The Receiving Party will within fifteen (15) days of notice furnished by the Disclosing Party return to the Disclosing Party or destroy all documentation, copies, notes, diagrams, computer memory media and other materials containing any portion of the Confidential Information disclosed by the Disclosing Party in which case written confirmation of such return or destruction will be delivered to the Disclosing Party.

A series of handwritten signatures and initials in blue ink are located at the bottom of the page, below the main text. From left to right, there is a large 'B' in a circle, followed by several sets of initials and full signatures, including one that appears to be 'Harris' and another that is more stylized.

10. This Agreement imposes no obligations on Receiving Party with respect to any portion of the Confidential Information received from Disclosing Party which:

- a. was known to the Receiving Party prior to disclosure by the Disclosing Party,
- b. is lawfully obtained by the Receiving Party from a third party under no obligation of confidentiality,
- c. is or becomes generally known or publicly available other than by unauthorized disclosure,
- d. is independently developed by the Receiving Party or
- e. is disclosed by the Disclosing Party to a third party without a duty of confidentiality on the third party.
- f. is required by law or decree.

11. The Confidential Information shall remain the sole property of the Disclosing Party.

12. The Disclosing Party does not make any representation with respect to and does not warrant any Confidential Information provided under this Agreement, but shall furnish such in good faith. Without restricting the generality of the foregoing, Disclosing party does not make any representations or warranties, whether written or oral, statutory, express or implied with respect to the Confidential Information which may be provided hereunder, including without limitation, any warranty of merchantability or of fitness for a particular purpose. The Disclosing Party shall not be liable for any special, incidental or consequential damages of any nature whatsoever resulting from receipt or use of the Confidential Information by the Receiving Party.

13. Neither the execution of this Agreement nor the furnishing of any Confidential Information hereunder shall be construed as granting either expressly or by implication, any license under or title to any invention, patent, copyright, trademark or trade name now or hereafter owned by or controlled by the Disclosing Party furnishing the Confidential Information.

14. The Receiving Party will not export, directly or indirectly, any technical data acquired from the Disclosing Party or any product utilizing any such data to any third party, without first obtaining approval of the Disclosing Party.

15. The rights and obligations of the Parties under this Agreement may not be sold, assigned or otherwise transferred.

16. In the event the Receiving Party is required by judicial or governmental administration process to disclose such Confidential Information of the Disclosing Party, the Receiving Party shall promptly notify the Disclosing Party so that the Disclosing Party may seek appropriate means to protect the confidentiality of its Confidential Information. Notwithstanding the absence of such means, if, in the opinion of the Receiving Party's counsel the Receiving Party is compelled to disclose such Confidential Information, the Receiving Party may disclose only the Confidential Information that is required without liability hereunder.

17. This Agreement shall be effective from the Effective Date and shall remain in force for a period of _____ years. The Parties may extend the term by written agreement signed by both the Parties. The obligations in clause 5, 6, 7, 8, 9, 10, 16, 17 and 18 shall survive termination/expiration of this Agreement for 3 years. The Receiving Party's obligations with respect to Trade Secrets shall continue in full force and effect for as long as the Trade Secret

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remains confidential in nature under applicable law. The Parties may terminate this Agreement by giving a prior written notice of 30 (thirty) days mentioning sufficient reason of termination.

18. This Agreement shall be constructed, governed, interpreted and applied in accordance with the laws of India and the courts of Kanpur shall have the exclusive jurisdiction.

19. The Parties shall attempt in good faith to resolve promptly any dispute arising out of or relating to this Agreement by negotiation. If the matter cannot be resolved in the normal course of business, within ten (10) days after the dispute arises, any interested Party shall give the other Party written notice of any such dispute not resolved, after which the dispute shall be referred to Director, UPUMS and _____ who will jointly resolve the dispute in a spirit of independence, mutual respect, and shared responsibility. In case an amicable settlement of any disputes arising out of or relating to this Agreement is not achieved within thirty (30) days after written notice is received, such dispute shall be referred to arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (as amended from time to time), by one (1)/sole arbitrator appointed in accordance with said Act. The seat of the arbitration shall be New Delhi. The arbitration shall be conducted in the English language and the award shall be final and binding upon the Parties. Each Party shall bear its own costs of the arbitration unless the arbitrator otherwise directs.

20. The Receiving Party acknowledges and agrees that monetary damages alone are not sufficient remedy for any breach of this Agreement by the Receiving Party, its permitted affiliates, subsidiaries and its employees and that the Disclosing Party shall, in addition to claiming damages, also be entitled to seek injunctive relief against the Receiving Party as remedy for any such breach.

21. All additions or modifications to this Agreement must be made in writing and must be executed by both the Parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first written above.

For
Uttar Pradesh University of Medical Sciences, Saifai

For

Name

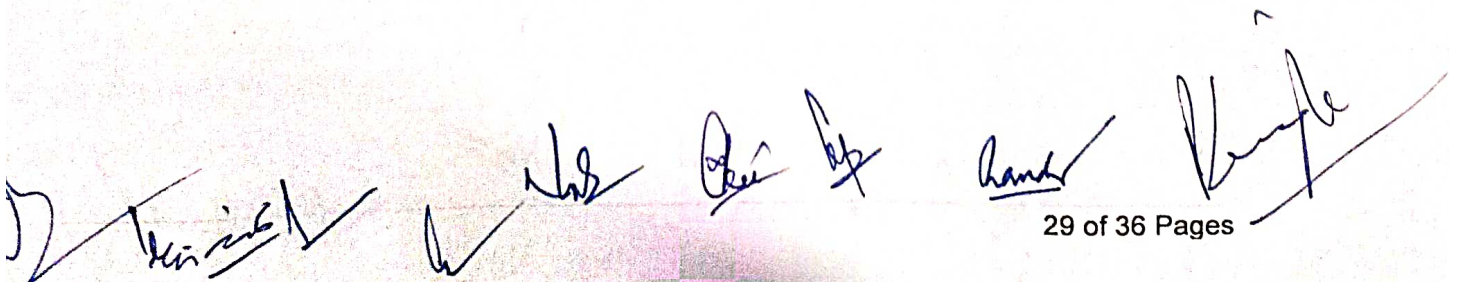
Name

Date

Date

Witness:

Witness:



Appendix G

No Objection Certificate for filing IPR (Should be on Letter Head of the Department)

Date:

TO WHOM IT MAY CONCERN

This is with reference to the research work carried out by Mr./Ms./Dr.
..... (Name/s), as
one of the inventors for the invention titled
"....."
..... (Title of the invention)".

We do not have any objection on filing of this patent by UPUMS, being the sole applicant for the above Invention.

Signature and Seal
(Head of the Department / Signatory Authority)

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Appendix 'H'

**Details of the Fee and Forms required to be filed under The Patents Rules 2003
(Available from: <https://ipindia.gov.in/form-and-fees.htm>)**

**It may be noted that the Official fee is subject to revision by the Patent office from time to time.*

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 entity or educational institution(s)	Other(s), alone or with natural person(s) or Startup(s) or small entity or educational institution(s)	Natural person(s) or Startup(s) or small entity or educational institution(s)	Other(s), alone or with natural person(s) or Startup(s) or small entity or educational institution(s)
1	2	3	4	5	6	7
			Rupees	Rupees	Rupees	Rupees
1	On application for a patent under sections 7, 54 or 135 and rule 20(1) accompanied by provisional or complete specification—	1	1600 Multiple of 1600 in case of every multiple priority.	8000 Multiple of 8000 in case of every multiple priority.	1750 Multiple of 1750 in case of every multiple priority.	8800 Multiple of 8800 in case of every multiple priority.
	For each sheet of specification in addition to 30, excluding sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9);		160	800	180	880
	For each claim in addition to 10;		320	1600	350	1750
	For each page of sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9).		160 subject to a maximum of 24000	800 subject to a maximum of 120000	Not Allowed	Not Allowed
2	On filing complete specification after provisional up to 30 pages having up to 10 claims	2	No Fee	No Fee	No Fee	No Fee
	(i) For each sheet of specification in addition to 30, excluding sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9)		160	800	180	880
	(ii) For each claim in addition to 10		320	1600	350	1750
	(iii) for each page of sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9).		160 subject to a maximum of 24000	800 subject to a maximum of 120000	Not Allowed	Not Allowed
3	On filing a statement and undertaking under section 8.	3	No fee	No fee	No fee	No fee
4	On request for extension of time under sections 53(2) and 142(4), rules 13(6), 80(1A) and 130 (per month).	4	480	2400	530	2600
	On request for extension of time under sub-rule (5) of rule 24B (per month).		1000	4000	1100	4400
	On request for extension of time under sub-rule (11) of rule 24C (per month).		2000	10000	2200	11000
5	On filing a declaration as to inventorship under sub-rule (6) of rule 13.	5	No Fee	No Fee	No Fee	No Fee
6	On application for postdating	-	800	4000	880	4400
7	On application for deletion of reference under section 19(2).	-	800	4000	880	4400
8	(i) On claim under section 20(1);	6	800	4000	880	4400

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	(ii) On request for direction under section 20(4) or 20(5).		800	4000	880	4400
9	(i) On notice of opposition to grant of patent under section 25(2);	7	2400	12000	2600	13200
	(ii) On filing representation opposing grant of patent under section 25(1).	7A	No fee	No fee	No fee	No fee
10	On giving notice that hearing before Controller shall be attended under rule 62(2).	-	1500	7500	1700	8300
11	On application under sections 28(2), 28(3) or 28(7).	8	800	4000	880	4400
12	Request for publication under section 11A(2) and rule 24A.	9	2500	12500	2750	13750
13	Application for withdrawing the application under section 11B (4), and rules 7(4A) and 26.	29	No Fee	No Fee	No Fee	No Fee
14	On request for examination of application for patent under section 11B and rule 24(1);	18	4000	20000	4400	22000
	(ii) under rule 20(4)(ii)		5600	28000	6150	30800
14 A	On request for expedited examination of application for patent under rule 24C.	18A	8000	60000	Not allowed	Not allowed
14 B	Conversion of the request for examination filed under rule 24B to request for expedited examination under rule 24C.	18A	4000	40000	Not allowed	Not allowed
15	On application under section 44 for amendment of patent.	10	2400	12000	2650	13200
16	On application for directions under section 51(1) or 51(2).	11	2400	12000	2650	13200
17	On request for grant of a patent under sections 26(1) and 52(2).	12	2400	12000	2650	13200
18	On request for converting a patent of addition to an independent patent under section 55 (1).	-	2400	12000	2650	13200
19	For renewal of a patent under section 53—					
(i)	before the expiration of the 2nd year from the date of patent in respect of 3rd year;	-	800	4000	880	4400
(ii)	before the expiration of the 3rd year in respect of the 4th year;	-	800	4000	880	4400
(iii)	before the expiration of the 4th year in respect of the 5th year;	-	800	4000	880	4400
(iv)	before the expiration of the 5th year in respect of the 6th year;	-	800	4000	880	4400
(v)	before the expiration of the 6th year in respect of the 7th year;	-	2400	12000	2650	13200
(vi)	before the expiration of the 7th year in respect of the 8th year;	-	2400	12000	2650	13200
(vii)	before the expiration of the 8th year in respect of the 9th year;	-	2400	12000	2650	13200
(viii)	before the expiration of the 9th year in respect of the 10th year;	-	2400	12000	2650	13200
(ix)	before the expiration of the 10th year in respect of the 11th year;	-	4800	24000	5300	26400
(x)	before the expiration of the 11th year in respect of the 12th year;	-	4800	24000	5300	26400
(xi)	before the expiration of the 12th year in respect of the 13th year;	-	4800	24000	5300	26400
(xii)	before the expiration of the 13th year in respect of the 14th year;	-	4800	24000	5300	26400
(xiii)	before the expiration of the 14th year in	-	4800	24000	5300	26400

B. K. J.

Dr. P. K. Verma

for

Dr. K. S. Chandra

	respect of the 15th year;					
(xiv)	before the expiration of the 15th year in respect of the 16th year;	-	8000	40000	8800	44000
(xv)	before the expiration of the 16th year in respect of the 17th year;	-	8000	40000	8800	44000
(xvi)	before the expiration of the 17th year in respect of the 18th year;	-	8000	40000	8800	44000
(xvii)	before the expiration of the 18th year in respect of the 19th year	-	8000	40000	8800	44000
(xviii)	before the expiration of the 19th year in respect of the 20th year.	-	8000	40000	8800	44000
20.	On application for amendment of application for patent or complete specification or other related documents under section 57 -					
(i)	before grant of patent;	13	800	4000	880	4400
(ii)	after grant of patent;		1600	8000	1750	8800
(iii)	where amendment is for changing name or address or nationality or address for service		320	1600	350	1750
21.	On notice of opposition to an application under sections 57(4), 61(1) and 87(2) or to surrender a patent under section 63(3) or to a request under section 78(5).	14	2400	12000	2650	13200
22.	On application for restoration of a patent under section 60.	15	2400	12000	2650	13200
23.	Additional fee for restoration under section 61(3) and rule 86(1).	-	4800	24000	5300	26400
24.	On notice of offer to surrender a patent under section 63.	-	1000	5000	1100	5500
25.	On application for the entry in the register of patents of the name of a person entitled to a patent or as a share or as a mortgage or as licensee or as otherwise or for the entry in the register of patents of notification of a document under sections 69(1) or 69(2) and rules 90(1) or 90(2).	16	1600 (In respect of each patent)	8,000 (In respect of each patent)	1750 (In respect of each patent)	8,800 (In respect of each patent)
26.	On application for alteration of an entry in the register of patents or register of patent agents under rules 94(1) or rule 118(1).	-	320	1600	350	1750
27.	On request for entry of an additional address for service in the Register of Patents under rule 94(3).	-	800	4000	880	4400
28.	On application for compulsory license under sections 84(1), 91(1), 92(1) and 92A.	17	2400 12000 2650 13200	12000	2650	13200
29.	On application for revocation of a patent under section 85(1).	19	2400	12000	2650	13200
30.	On application for revision of terms and conditions of license under section 88(4).	20	2400	12000	2650	13200
31.	On request for termination of compulsory license under section 94.	21	2400	12000	2650	13200
32.	On application for registration as a patent agent under rule 109(1) or rule 112.	22	3200	Not applicable	3500	Not applicable
33.	On request for appearing in the qualifying examination under rule 109(3).	-	1600	Not applicable	1750	Not applicable
34.	For continuance of the name of a person in the register of patent agents - for the 1st year to be paid along with		800	Not applicable	880	Not applicable

	registration; For every year excluding the 1st year to be paid on the 1 st April in each year		800	Not applicable	880	Not applicable
35.	On application for duplicate certificate of patent agent under rule 111A.	-	1600	Not applicable	1750	Not applicable
36.	On application for restoration of the name of a person in the register of patent agents under rule 117(1).	23	1600 (Plus continuation fee under entry number 34)	Not applicable	1750 (Plus continuation fee under entry number 34)	Not applicable
37.	On a request for correction of clerical error under section 78(2).	-	800	4000	880	4400
38.	On application for review or setting aside the decision or order of the controller under section 77(1)(f) or 77(1)(g).	24	1600	8000	1750	8800
39.	On application for permission for applying patent outside India under section 39 and rule 71(1).	25	1600	8000	1750	8800
40.	On application for duplicate patent under section 154 and rule 132.	-	1600	8000	1750	8800
41.	(i) On request for certified copies under section 72 or for certificate under section 147 and rule 133(1).	-	1000 (Up to 30 pages and, thereafter, 30 for each extra page)	5000 (Up to 30 pages and, thereafter, 150 for each extra page)	1100 (Up to 30 pages and, thereafter, 30 for each extra page)	5500 (Up to 30 pages and, thereafter, 150 for each extra page)
	(ii) On request for certified copies under section 72 or for certificate under section 147 and rule 133(2).	-	2400 (Up to 30 pages and thereafter, 30 for each extra page)	12000 (Up to 30 pages and thereafter, 30 for each extra page)	3300 (Up to 30 pages and thereafter, 30 for each extra page)	13200 (Up to 30 pages and thereafter, 30 for each extra page)
42.	For certifying office copies, printed each.	-	800	4000	880	4400
43.	On request for inspection of register under section 72, inspection under rule 27 or rule 74A.	-	320	1600	350	1750
44.	On request for information under section 153 and rule 134.	-	480	2400	530	2650
45.	On form of authorization of a patent agent.	26	No Fee	No Fee	No Fee	No Fee
46.	On petition not otherwise provided for.		1600	8000	1750	8800
47.	For supplying of photocopies of the documents, per page.		10	10	10	10
48.	Transmittal fee for international application.	-	3200	16000	3500	17600
48A	Transmittal fee for international application (for ePCT filing).	-	No Fee	No Fee	Not applicable	Not applicable
49.	For preparation of certified copy of priority document and for transmission of the same to the International Bureau of World Intellectual Property Organization.	-	1000 (Up to 30 pages and, thereafter, 30 for each extra page)	5000 (Up to 30 pages and, thereafter, 150 for each extra page)	1100 (Up to 30 pages and, thereafter, 30 for each extra page)	5500 (Up to 30 pages and, thereafter, 150 for each extra page)
49A.	For preparation of certified copy of priority document and e- transmission through WIPO DAS.		No fee	No fee	Not applicable	Not applicable
50.	On statement regarding working of a patented invention on a commercial scale in India under section 146(2) and rule 131(1).	27	No fee	No fee	No fee	No fee
51.	To be submitted for claiming the status of a small entity or startup	28	No fee	No fee	No fee	No fee

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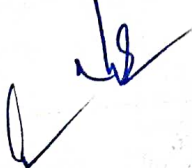


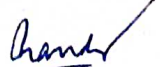

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52.	Request for adjournment of hearing under rule 129A (for each adjournment).	-	1000	5000	1100	5500
53	Miscellaneous form under rule 8(2), to be used when no other form is prescribed.	30	As applicable			

**List Of Required Forms
(The Patents Rules 2003)**

Form No.	Section and rule	Title
1	2	3
1.	Sections 7, 54 and 135 and rule 20 (i)	Application for grant of a patent.
2.	Section 10; rule 13	Provisional/ Complete Specification.
3.	Section 8 and rule 12	Statement and undertaking.
4.	Sections 53(2) and 142(4), rules 13(6), 24B (4) (ii), 80(1A) and 130	Request for extension for time.
5.	Section 10(6) and rule 13(6)	Declaration as to inventorship.
6.	Sections 20(1), 20(4), 20(5) and rules 34(1), 35(1) or 36(1)	Claim or request regarding any change in applicant for patent.
7.	Section 25(3) and rule 55A	Notice of opposition on grant of a patent.
7 A.	Section 25(1) and rule 55(1)	For filing a representation opposing grant of a patent under sub-section (1) of section 25.]
8.	Sections 28(2), 28(3) or 28(7) and rules 66, 67, 68	Request or claim regarding mention of inventor as such in a patent.
9.	Section 11A(2) and rule 24A	Request for publication.
10.	Section 44 and rule 75	Application for amendment of patent.
11.	Sections 51(1), 51(2) and rules 76, 77	Application for direction of the Controller.
12.	Sections 26(1) & 52(2) and rules 63A and 79	Request for grant of patent.
13.	Section 57 and rule 81(1)	Application for amendment of the application for patent/ complete specification.
14.	Sections 57(4), 61(1), 63(3), 78(5) and 87(2) and rules 81(3)(b), 85(1), 87(2), 98(1), 101(3) or 124	Notice of opposition to amendment/ restoration/ surrender of patent/ grant of compulsory license or revision of terms thereof or to a correction of clerical errors.
15.	Section 60 and rule 84.	Application for restoration of patents.
16.	Sections 69(1) or 69(2) and rules 90(1) and 90(2)	Application for registration of a title/interest in a patent or share in it or registration of any document purporting to affect proprietorship of the patent.
17.	Sections 84(1), 91, 92 or 92(A) and rule 96	Application for compulsory license.
18.	Section 11B and rules 20(4)(ii) and 24B(1) (i)	Request for examination of application for patent.
19.	Section 85(1) and rule 96	Application for revocation of a patent for non- working.
20.	Section 88(4) and rule 100	Application for revision of terms and conditions of license.
21.	Section 94, rule 102(1)	Request for termination of compulsory license.
22.	Rules 109(1) and 112	Application for registration of Patent Agent.
23.	Section 130(2) and rule 117(1)	Application for the restoration of the name in the register of Patent Agents.
24.	Sections 77(1)(f), 77(1)(g) and rules 130(1) and 130(2)	Application for review / setting aside controller's decision/ order.
25.	Section 39 and rule 71(1)	Request for permission for making patent application outside India.
26.	Sections 127, 132 and rule 135	Form of authorization of a Patent Agent/ or any person in a matter or proceeding under the Act.
27.	Section 146(2) and rule 131(1)	Statement regarding the working of the Patented invention on commercial scale in India.
28.	Rules 2(fa) and 7	To be submitted by a small entity with every document for which a fee has been specified.
29.	Section 118(4) and rules 7(4A), 24C (5) and 26	Request for withdrawal of patent application
30.	Rule 8(2)	Miscellaneous form, to be used when no other form is prescribed

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List of patent related forms

S. No	Form Number	Form Name
1	Form 1	Application for grant of patent
2	Form 2	Provisional/complete specifications
3	Form 3	Statement and undertaking under section 8
4	Form 4	Request for extension of time
5	Form 5	Declaration as to inventorship
6	Form 6	Claim or request regarding any change in applicant for patent
7	Form 7	Notice of opposition
8	Form 7A	Representation for opposition to grant of patent
9	Form 8	Request or claim regarding mention of inventor as such in a patent
10	Form 9	Request for publication
11	Form 10	Application for amendment of patent
12	Form 11	Application for direction of the controller
13	Form 12	Request for grant of patent under section 26(1) & 52(2)
14	Form 13	Application for amendment of the application for patent/ Complete specification/any document related thereto
15	Form 14	Notice of opposition to amendment / restoration / surrender of patent/grant of compulsory license or revision of terms thereof or to correction of clerical errors
16	Form 15	Application for the restoration of patent
17	Form 16	Application for registration of title/interest in a patent or share in it or registration of any document purporting to affect proprietorship of the patent
18	Form 17	Application for compulsory license
19	Form 18	Request/express request for examination of application for patent
20	Form 18A	Request for expedited examination of application for patent
21	Form 19	Application for revocation of a patent for non-working
22	Form 20	Application for revision of terms and conditions of license
23	Form 21	Request for termination of compulsory license
24	Form 22	Application for registration of patent agent
25	Form 23	Application for the restoration of the name in the register of patent agents
26	Form 24	Application for review/setting aside Controller's decision/order
27	Form 25	Request for permission for making patent application outside India
28	Form 26	Authorization of a patent agent/or any person in a matter or proceeding under the act
29	Form 27	Statement regarding the working of patented invention(s) on a commercial scale in India
30	Form 28	Form to be submitted by a small entity /startup/ educational institution
31	Form 29	Request for withdrawal of the application for patent
32	Form 30	To be used when no other form is prescribed

FORM 1

(FOR OFFICE USE ONLY)

THE PATENTS ACT 1970 (39 of 1970) and
THE PATENTS RULES, 2003

**APPLICATION FOR GRANT OF PATENT
(FORMAT)**

(See section 7, 54 and 135 and sub-rule (1) of rule 20)

	Application No.	
	Filing date:	
	Amount of Fee paid:	
	CBR No:	
	Signature:	

1. APPLICANT'S REFERENCE / IDENTIFICATION NO. (AS ALLOTTED BY OFFICE)

2. TYPE OF APPLICATION [Please tick (✓) at the appropriate category]

Ordinary ()		Convention ()		PCT-NP ()	
Divisional ()	Patent of Addition ()	Divisional ()	Patent of Addition ()	Divisional ()	Patent of Addition ()

3A. APPLICANT(S)

Name in Full	Nationality	Country of Residence	Address of the Applicant	
			House No.	
			Street	
			City	
			State	
			Country	
			Pin code	

3B. CATEGORY OF APPLICANT [Please tick (✓) at the appropriate category]

Natural Person ()	Other than Natural Person		
	Small Entity ()	Startup ()	Others ()

4. INVENTOR(S) [Please tick (✓) at the appropriate category]

Are all the inventor(s) same as the applicant(s) named above?	Yes ()	No ()

[Handwritten signatures and marks at the bottom of the page]

If "No", furnish the details of the inventor(s)

Name in Full	Nationality	Country of Residence	Address of the Inventor	
			House No.	
			Street	
			City	
			State	
			Country	
			Pin code	

5. TITLE OF THE INVENTION

6. AUTHORISED REGISTERED PATENT AGENT(S)	IN/PA No.	
	Name	
	Mobile No.	
7. ADDRESS FOR SERVICE OF APPLICANT IN INDIA	Name	
	Postal Address	
	Telephone No.	
	Mobile No.	
	Fax No.	
	E-mail ID	

8. IN CASE OF APPLICATION CLAIMING PRIORITY OF APPLICATION FILED IN CONVENTION COUNTRY, PARTICULARS OF CONVENTION APPLICATION

Country	Application Number	Filing date	Name of the applicant	Title of the invention	IPC (as classified in the convention country)

9. IN CASE OF PCT NATIONAL PHASE APPLICATION, PARTICULARS OF INTERNATIONAL APPLICATION FILED UNDER PATENT CO-OPERATION TREATY.(PCT)

International application number	International filing date

10. IN CASE OF DIVISIONAL APPLICATION FILED UNDER SECTION 16, PARTICULARS OF ORIGINAL (FIRST) APPLICATION

Original (first) application No.	Date of filing of original (first) application

11. IN CASE OF PATENT OF ADDITION FILED UNDER SECTION 54, PARTICULARS OF MAIN APPLICATION OR PATENT

Main application/patent No.

Date of filing of main application

12. DECLARATIONS

(i) Declaration by the inventor(s)

(In case the applicant is an assignee: the inventor(s) may sign herein below or the applicant may upload the assignment or enclose the assignment with this application for patent or send the assignment by post/electronic transmission duly authenticated within the prescribed period).

I/We, the above-named inventor(s) is/are the true & first inventor(s) for this Invention and declare that the applicant(s) herein is/are my/our assignee or legal representative.

(a) Date

(b) Signature(s)

(c) Name(s)

(ii) Declaration by the applicant(s) in the convention country

(In case the applicant in India is different than the applicant in the convention country: the applicant in the convention country may sign herein below or applicant in India may upload the assignment from the applicant in the convention country or enclose the said assignment with this application for patent or send the assignment by post/electronic transmission duly authenticated within the prescribed period)

I/We, the applicant(s) in the convention country declare that the applicant(s) herein is/are my/our assignee or legal representative.

(a) Date

(b) Signature(s)

(c) Name(s) of the signatory

B *1* *2* *3* *4* *5* *6* *7* *8* *9* *10* *11* *12* *13* *14* *15* *16* *17* *18* *19* *20* *21* *22* *23* *24* *25* *26* *27* *28* *29* *30* *31* *32* *33* *34* *35* *36* *37* *38* *39* *40* *41* *42* *43* *44* *45* *46* *47* *48* *49* *50* *51* *52* *53* *54* *55* *56* *57* *58* *59* *60* *61* *62* *63* *64* *65* *66* *67* *68* *69* *70* *71* *72* *73* *74* *75* *76* *77* *78* *79* *80* *81* *82* *83* *84* *85* *86* *87* *88* *89* *90* *91* *92* *93* *94* *95* *96* *97* *98* *99* *100*

(iii) Declaration by the applicant(s)

I/We the applicant(s) hereby declare(s) that: -

- I am/ We are in possession of the above-mentioned invention.
- The provisional/complete specification relating to the invention is filed with the application.
- The invention as disclosed in the specification uses the biological material from India and the necessary permission from the competent authority shall be submitted by me/us before the grant of patent to me/us.
- There is no lawful ground of objection(s) to the grant of the Patent to me/us.
- I am/we are the true & first inventor(s).
- I am/we are the assignee or legal representative of true & first inventor(s).
- The application or each of the applications, particulars of which are given in Paragraph-8, was the first application in convention country/countries in respect of my/our invention(s).
- I/We claim the priority from the above-mentioned application(s) filed in convention country/countries and state that no application for protection in respect of the invention had been made in a convention country before that date by me/us or by any person from which I/We derive the title.
- My/our application in India is based on international application under Patent Cooperation Treaty (PCT) as mentioned in Paragraph-9.
- The application is divided out of my /our application particulars of which is given in Paragraph-10 and pray that this application may be treated as deemed to have been filed on(DD/MM/YYYY) under section 16 of the Act.
- The said invention is an improvement in or modification of the invention particulars of which are given in Paragraph-11.

13. FOLLOWING ARE THE ATTACHMENTS WITH THE APPLICATION

(a) Form 2

Item	Details	Fee	Remarks
Complete/ provisional specification) #	No. of pages		
No. of Claim(s)	No. of claims and No. of pages		
Abstract	No. of pages		
No. of Drawing(s)	No. of drawings and No. of pages		

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In case of a complete specification, if the applicant desires to adopt the drawings filed with his provisional specification as the drawings or part of the drawings for the complete specification under rule 13(4), the number of such pages filed with the provisional specification are required to be mentioned here.

- (b) Complete specification (in conformation with the international application)/as amended before the International Preliminary Examination Authority (IPEA), as applicable (2 copies).
- (c) Sequence listing in electronic form
- (d) Drawings (in conformation with the international application)/as amended before the International Preliminary Examination Authority (IPEA), as applicable (2 copies).
- (e) Priority document(s) or a request to retrieve the priority document(s) from DAS (Digital Access Service) if the applicant had already requested the office of first filing to make the priority document(s) available to DAS.
- (f) Translation of priority document/Specification/International Search Report/International Preliminary Report on Patentability.
- (g) Statement and Undertaking on Form 3
- (h) Declaration of Inventorship on Form 5
- (i) Power of Authority

(j) Total fee ₹.....in Cash/ Banker's Cheque /Bank Draft bearing No..... Date on Bank.....

I/We hereby declare that to the best of my/our knowledge, information and belief the fact and matters slated herein are correct and I/We request that a patent may be granted to me/us for the said invention.

Dated this.....day of.....20.....

Signature:

Name:

To,

The Controller of Patents

The Patent Office, at.....

Note: -

- * Repeat boxes in case of more than one entry.
- * To be signed by the applicant(s) or by authorized registered patent agent otherwise where mentioned.
- * Tick (✓)/cross (x) whichever is applicable/not applicable in declaration in paragraph-12.
- * Name of the inventor and applicant should be given in full, family name in the beginning.
- * Strike out the portion which is/are not applicable.

(Handwritten signatures and marks)

FORM 2
THE PATENT ACT 1970
(39 of 1970)

The Patents Rules, 2003

PROVISIONAL/COMPLETE SPECIFICATION
(See Section 10 and Rule 13)

1. TITLE OF THE INVENTION.....

2. APPLICANT (S)

(a) NAME:

(b) NATIONALITY:

(c) ADDRESS:

.....
.....

3. PREAMBLE TO THE DESCRIPTION

PROVISIONAL
(The following specification describes the invention.)

COMPLETE
(The following specifications particularly describes the invention and the manner in which it is to be performed.)

4. DESCRIPTION (Description shall start from next page.)

5. CLAIMS (not applicable for provisional specification. Claims should start with the preamble — "I/we claim" on separate page)

6. DATE AND SIGNATURE (to be given at the end of last page of specification)

7. ABSTRACT OF THE INVENTION (to be given along with complete specification on separate page)

Note: -

- Repeat boxes in case of more than one entry.
- To be signed by the applicant(s) or by authorized registered patent agent.
- Name of the applicant should be given in full, family name in the beginning.
- Complete address of the applicant should be given stating the postal index no./code, state, and country.
- Strike out the column which is/are not applicable

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FORM 3
THE PATENTS ACT, 1970 (39 of 1970) and
THE PATENTS RULES, 2003
STATEMENT AND UNDERTAKING UNDER SECTION 8
(See section 8; Rule 12)

1. Name of the applicant(s)	I/We..... hereby declare:				
2. Name, address, and nationality of the joint applicant.	That I/We have not made any application for the same/substantially the same invention outside India Or that I/We who have made this application No..... dated alone/jointly with, made for the same/ substantially same invention, application(s) for patent in the other countries, the particulars of which are given below:				
Name of the country	Date of application	Application No.	Status of the application	Date of publication	Date of grant
3. Name and address of the assignee	(iii) that the rights in the application(s) has/have been assigned to that I/we undertake that up to the date of grant of the patent by the Controller, I/We would keep him informed in writing the details regarding corresponding applications for patents filed outside India within six months from the date of filing of such application. Dated this.....day of.....20.....				
4. To be signed by the applicant or his authorized registered patent agent.	Signature.....				
5. Name of the natural person who has signed.	(.....)				
	To The Controller of Patents, The Patent Office, at.....				
Note- Strike out whichever is not applicable					

FORM 4

THE PATENTS ACT, 1970 (39 of 1970)

and

THE PATENTS RULES, 2003

REQUEST FOR EXTENSION OF TIME

[See sections 53(2), and 142 (4); rules 13(6), 24B (6), 24C (11) and 80 (1A), 130]

1. Name of the applicant	I/We..... hereby request for extension of time for months(s) under section/rule in connection with my/our/ application/Patent No..... The reasons for making the request are as follows: - Dated this..... day of20.....
2. To be signed by Authorized registered patent agent	Signature (.....)
3. Name of the natural person who has signed	
	To The Controller of Patents, The Patent Office, at.....

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FORM 5
THE PATENTS ACT, 1970
(39 of 1970) &
The Patents Rules, 2003
DECLARATION AS TO INVENTORSHIP
(See section 10(6) and rule 13(6))

1. NAME OF APPLICANT(S)

hereby declare that the true and first inventor(s) of the invention disclosed in the complete specification filed in pursuance of my /our application numbered dated is/are

2. INVENTOR (S)

- (a) NAME
- (b) NATIONALITY
- (c) ADDRESS

Dated this day of 20.....

Signature: -
Name of the signatory:

3. DECLARATION TO BE GIVEN WHEN THE APPLICATION IN INDIA IS FILED BY THE APPLICANT(S) IN THE CONVENTION COUNTRY:

We the applicant(s) in the convention country hereby declare that our right to apply for a patent in India is by way of assignment from the true and first inventor(s).

Dated this day of 20.....

Signature: -
Name of the signatory:

4. STATEMENT

(To be signed by the additional inventor(s) not mentioned in the application form)

I/We assent to the invention referred to in the above declaration, being included in the complete specification filed in pursuance of the stated application.

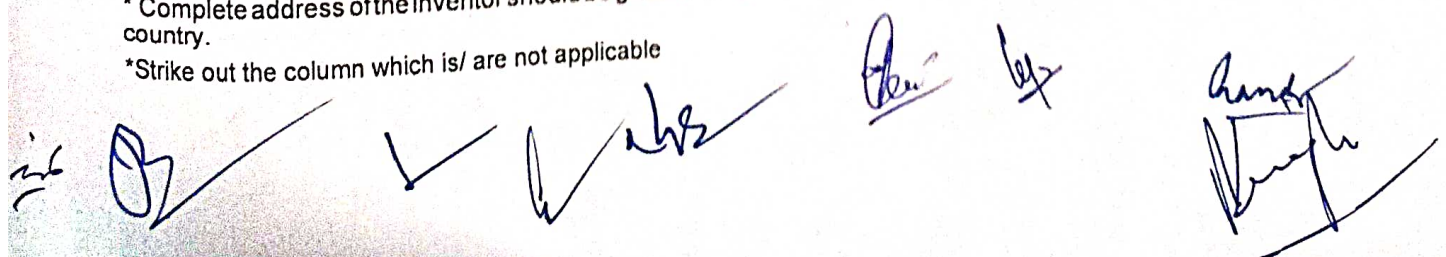
Dated this day of 20.....

Signature of the additional inventor(s): -
Name: -

To,
The Controller of Patent
The Patent Office, at

Note

- * Repeat boxes in case of more than one entry.
- * To be signed by the applicant(s) or by authorized registered patent agent otherwise where mentioned.
- * Name of the inventor and applicant should be given in full, family name in the beginning.
- * Complete address of the inventor should be given stating the postal index no./code, state and country.
- * Strike out the column which is/ are not applicable

in 

10. Name of the natural person who has signed.

Dated this day of, 200

Signature ⁹ ..

(-----) ¹⁰..

To
The Controller of Patents,
The Patent Office,
At

N.B.: This form is not applicable for mere change of name.

Note: (a) Strike out whichever is not applicable.

(b) For fee:-See First Schedule.

FORM 7
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
NOTICE OF OPPOSITION
[See sections 25(3) and rule 55A]

1. State names, address and nationality.

I/We, ¹.....

2. State the grounds taken one after another.

hereby give notice of opposition to
patent No. granted on
application No. dated.....
published on dated.....made
by _____
on the grounds ².

3. Complete address including postal index number/code and state along with Telephone and fax number.

4. To be signed by the opponent or by his authorized registered patent agent.

My/Our address for services in India is. ³
.....
.....

5. Name of the natural person who has signed.

Signature ⁴
(-----) ⁵

To
The Controller of Patents,
The Patent Office,
At

For fee : See First Schedule.

(Handwritten signatures and marks)

FORM 6
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003

CLAIM OR REQUEST REGARDING ANY CHANGE IN APPLICANT FOR PATENT

[See sections 20(1), 20(4) and 20(5); rules 34(1), 35(1) and 36(1)]

1. Repeat the columns (a) to (c) if there are more than one applicant.
2. Insert the name in full. The family or principal name in the beginning if the applicant is a natural person.
3. Insert the complete address including postal index number/code and state and/or country.
4. Insert the nationality.
5. State the name of the applicant(s) for patent.
6. Original and certified copies of the documents shall accompany the claim or request. Consent by the legal representative of the deceased joint applicant shall be filed whenever required.
7. Insert the details of the documents.
8. Complete address including postal index number/code and state along with Telephone and fax number(s).
9. To be signed by the applicant(s) or authorized registered patent agent.

I/We,¹ _____
 (a)² _____
 (b)³ _____
 (c)⁴ _____

hereby request that the application for patent No.....dated made by⁵ _____

may proceed in my/our name and further request that direction of the Controller, if necessary be made in that effect

Reasons for making the above request are as follows:-

I furnish the following document(s) in support of my above request:⁶

(a)⁷ _____
 (b)⁷ _____
 (c)⁷ _____

My/our address for service in India is:⁸

[Handwritten signatures and marks at the bottom of the page]

"FORM 7A
THE PATENTS ACT, 1970 (39 OF 1970)
AND
THE PATENTS RULES, 2003
REPRESENTATION FOR OPPOSITION TO GRANT OF PATENT
[sec rule 55]

1. State names, address and nationality.

I/We,.....

hereby give representation by way of
opposition to the grant of patent in
respect of application

no.....dated.....

made by..... and published on

on the grounds

2. State the grounds taken one after
another.

3. Complete address including postal

index number/code and state along
with telephone and fax number.

My/our address for service in India is

.....

.....

.....

4. To be signed by the opponent or by his/her
authorized registered patent agent.

Signature

5. Name and designation of the natural person who has signed.

(.....)

To
The Controller of Patents,
The Patent Office,
At

[Handwritten signatures and marks at the bottom of the page]

FORM 8
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
REQUEST OR CLAIM REGARDING MENTION OF
INVENTOR AS SUCH IN A PATENT

[See sections 28(2), 28(3) and 28(7); rules 66, 67 and 68]

1. State names, address and nationality of the person making this application.

I/We,¹

herby state/claim that the following person(s) be mentioned as inventor(s) in the patent application No. dated made by _____

2. Insert the name of the person mentioned as inventor.

_____ or hereby declare that²

3. Complete address including postal index number/code and state along with Telephone and fax number(s).

ought not to have mentioned as inventor in the application for Patent No. dated made by and I/We hereby apply for a certificate to that effect.

A Statement setting out the circumstances under which this application is made is attached together with the copy/copies thereof as required under the rules.

4. To be signed by the applicant or his authorized registered patent agent.

My/Our address for service in India is³

5. Name of the natural person who has signed.

Dated this day of 20

Signature..⁴

To
The Controller of Patents,
The Patent Office,
At

Note: For fee: See First Schedule.

(Handwritten signatures and initials)

FORM 9
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
REQUEST FOR PUBLICATION
[See section 11A(2); rule 24A]

1. Name, address and nationality of the applicant(s).

I/We¹
.....
.....
.....

2. To be signed by the applicant or his authorized registered patent agent.

hereby request for early publication of my/our application for Patent No..... datedunder section 11A(2) of the Act.

Dated thisday of 20

3. Name of the natural person who has signed.

Signature ..²...

(.....).³....

To
The Controller of Patents,
The Patent Office,
At

Note: - For fee : See First Schedule

(Handwritten signatures and initials)

FORM 10
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR AMENDMENT OF PATENT
[See section 44; rule 75]

1. Repeat the columns (a) to (c) if there are more than one applicant.

2. Insert the name in full. Family or principal name in the beginning if the applicant is a natural person.

3. Insert the complete address including postal index number/code and state and/or country.

4. Insert the nationality.

5. Complete address including postal index number/code and state along with Telephone and fax number(s).

6. To be signed by the applicant(s) or his authorised registered patent agent.

7. Name of the natural person who has signed.

I/We¹..

(a)².....

(b)³.....

(c)⁴.....

(a)².....

(b)³.....

(c)⁴.....

(a)².....

(b)³.....

(c)⁴.....

hereby request that Patent No.

dated granted to

.....
may be amended by substituting my/our name for the name of the grantee and in support to my/our request, I/We furnish the following documents :

.....
My/our address for service in India is⁵.....

Dated this day of 20

Signature.. 6.....

(.....) 7...

To
The Controller of Patents,
The Patent Office,
At.....

Note : - For fee : See First Schedule

[Handwritten signatures and initials in blue ink]

FORM 11
THE PATENTS ACT, 1970
 (39 of 1970)
 &
 The Patents Rules, 2003
APPLICATION FOR DIRECTION OF THE CONTROLLER
 [See sections 51(1) and 51(2); rules 76 and 77]

1. State the name in full, address and nationality.

I/We¹.....

.....

hereby apply for the following direction in respect of patent No. -----

dated.....grant to-----

2. Complete address including postal index number/code and state along with Telephone and fax number(s).

The reasons for making this application are as follows :

.....

3. To be signed by the applicant(s) or his authorised registered patent agent.

My/Our address for service in India is:..².....

.....

Dated thisday of 20

Signature ..³...

(-----)⁴

4. Name of the natural person who has signed.

To
 The Controller of Patents,
 The Patent Office,
 At

Note: - For fee : See First Schedule

B ✓ *1* ✓ *Minister* ✓ *Chauhan* ✓ *4/2* ✓ *Ramesh* ✓

FORM 12
THE PATENTS ACT, 1970
(39 of 1970)

&

The Patents Rules, 2003

REQUEST FOR GRANT OF PATENT UNDER SECTION 26(1) & 52(2)
[See sections 26(1) & 52(2); rules 63A and 79]

1. Repeat the columns (a) to (c) if there are more than one applicant.

I/We¹.....
.....

2. Insert the name in full. Family or principal name in the beginning, if the applicant is a natural person.

(a).².....
.....

3. Insert the complete address including postal code and state and/or country.

(b).³.....
.....

4. Nationality of the person.

(c).⁴.....
hereby declare :
(i) that I/We made opposition under section 25(3) before the Controller or a petition under Section 64 of the Act before the Appellate Board or High Court of⁵.....

5. Name of the High Court.

.....
and the details of the patent and the opposition for the petition are given below :

6. Name, address and nationality of the true and first inventor.

Patent No. dated
.....Grantee / Patentee
.....Oppositio

7. Complete address including postal index number code and state along with Telephone and fax number(s).

n
Notice dated or Petition No.
.....dated.....

8. To be signed by the applicant(s)

(ii) that I/We have claimed to be the true and first inventor(s)/assignee(s)/legal representative(s) of .⁶

[Handwritten signatures and marks]

or his authorised registered patent agent.

.....
.....
.....

the true and first inventor of the invention for which the said patent was granted.

(iii) that by an order in the said opposition or petition the patent was revoked/the complete specification of the patent was directed to be amended by exclusion of claims thereof.

(iv) that the Controller or Appellate Board or Court ordered to grant to me a patent in lieu of the said patent/part of the invention excluded by the amendment.

(v) that I/We submit a statement and certified copy of the order of the Controller or Appellate Board or Court in support of my application and request that a patent be granted to me in accordance with the order of the Appellate Board or Court.

9. Name of the natural person who has signed.

My/Our address for service in India is : 7.

.....
.....

Dated this day of 200

Signature ⁸

(.....)⁹

To
The Controller of Patents,
The Patent Office,
At

Note: -(a) Strike out whichever is not applicable.
(b) For fee : See First Schedule.

[Handwritten signatures and initials]

FORM 13
THE PATENTS ACT, 1970 (39 of 1970)
and
THE PATENTS RULES, 2003
APPLICATION FOR AMENDMENT OF THE APPLICATION FOR PATENT/ COMPLETE SPECIFICATION/
ANY DOCUMENT RELATED THERETO
[See section 57; sub-rule (1) of rule 81]

<p>1. Name of the applicant(s).</p>	<p>I/We..... request leave to amend the application/any document related thereto/complete specification with respect to application for patent No..... dated..... as highlighted in the copy hereto annexed.</p> <p>My/Our reason for making this request are as follows: </p> <p>I/We declare that no action for infringement or for the revocation of the patent in question is pending before Appellate Board or a Court.</p> <p>I/We declare that the facts and matters stated herein are true to the best of my/our knowledge information and belief.</p>
<p>2. To be signed by the applicant(s) or patentee(s) or by his authorized registered patent agent</p>	<p>Dated this.....day of.....20.....</p> <p>Signature.....</p>
<p>3. Name of the natural person who has signed</p>	<p>(.....)</p>
	<p>To The Controller of Patents, The Patent Office, at.....</p>
<p>Note: For fee: See First Schedule.</p>	

FORM 14
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
NOTICE OF OPPOSITION TO AMENDMENT / RESTORATION / SURRENDER
OF PATENT/GRANT OF COMPULSORY LICENCE OR REVISION OF TERMS
THEREOF OR TO CORRECTION OF CLERICAL ERRORS
[See sections 57(4), 61(1), 63(3), 78(5) and 87(2); rules 81(3)(b), 85(1), 87(2),
98(1), 101(3) and 124]

1. State the name, address and nationality.

I/We'
hereby give notice of opposition: -
to the amendment of the application/specification with
respect to application for Patent No.
dated

OR
to the application for restoration of Patent No.
dated

OR
to the offer to surrender the Patent No.
dated

OR
for the grant of compulsory licence, or revocation of Patent
No. dated

OR
for the revision of the terms and conditions of licence in
respect of Patent No. dated

OR
for correction of a clerical error in Patent No.
dated / Specification No.
dated in respect of Patent

No. dated or Patent
application No. dated

The grounds in which the said opposition is made are as
follows:

.....
.....

My / Our address for service in India is: ²

.....

Dated this day of 20

Signature . 3.

(-----) 4.

To
The Controller of Patents,
The Patent Office,
At

Note: -(a) Strike out whichever is not applicable.
(b) For fee : See First Schedule.

3852 (FORM)-13

[Handwritten signatures and marks at the bottom of the page]

FORM 15
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR THE RESTORATION OF PATENT
[See section 60; rule 84]

1. Insert the name, address, nationality of the applicant(s).

I/We¹

hereby apply for an order of the Controller for the restoration of Patent No.datedgranted to.....

The circumstances which led to the failure to pay the renewal fee to pay the renewal fee for the year on or before are as follows:

I/We declare that I/We have not assigned the patent to any other person(s) and that the facts and matters stated herein are true to the best of my/our knowledge information and belief.

Dated this day of 20

2. To be signed by the applicant(s) or by his authorised registered patent agent.

Signature ².....
(.....)³

3. Name of the natural person who has signed.

To
The Controller of Patents,
The Patent Office,
At

Note: For fee : See First Schedule,

[Handwritten signatures and initials in blue ink]

FORM 16
THE PATENTS ACT, 1970
(39 of 1970)

&

The Patents Rules, 2003

**APPLICATION FOR REGISTRATION OF TITLE/INTEREST IN A
PATENT OR SHARE IN IT OR REGISTRATION OF ANY
DOCUMENT PURPORTING TO AFFECT PROPRIETORSHIP OF
THE PATENT**

[See sections 69(1), 69(2); rules 90(1) and 90(2)]

1. Insert the name, address and nationality of the applicant(s).

I/We¹.

.....
.....
hereby apply that my/our name(s) may be registered in the register of patent as a person entitled to the patent/a share in the patent/an interest in the patent details of which are specified below:

2. A description of the nature of the document, giving the date and the names, address and nationality of the parties thereto.

Patent No.dated.....
Grantee.....Patentee.....
and in proof thereof we transmit the accompanying².....
.....with a certified copy thereof.

OR

Transmit herewith an attested copy of²
.....in respect of Patent
No(s).....dated.....
granted to
of which the patentee is
.....as
well as the original document for verification and
I/We hereby apply that a notification thereof may
be entered in the register of patents.

3. Complete address including postal code and state along with telephone and fax number(s).

My/Our address for service in India is³.
.....
.....

4. To be signed by the applicant or his authorised registered patent agent.

Dated thisday of 20

Signature . 4.....
(-----)⁵

5. Name of the natural person who has signed.

To
The Controller of Patents,
The Patent Office,
At

Note :- (a) For fee : See First Schedule.
(b) Strike out whichever is not applicable.

(Handwritten signatures and marks)

FORM 17
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR COMPULSORY LICENCE
[See sections 84(1), 91, 92(1) or 92A; rule 98]

1. Name, address and nationality of the applicant(s).

I/We.¹.....
.....

herby apply for the grant of a compulsory licence under Patent No.dated granted to

2. Certified copies of the documents are to be enclosed in duplicate.

..... for which the patentee is on the following grounds, namely :

3. Complete address including postal code and state along with telephone and fax number(s).

.....
.....

I/We declare that the facts and matters stated herein are true to the best of my/our knowledge, information and belief.

4. To be signed by the applicant(s) or by his authorised registered patent agent.

The details of documentary evidence in support of my/our interest and the grounds stated above are given below².....

- (a)
- (b)
- (c)

My/Our address for service in India is: ³.....

Dated this day of 20

5. Name of the natural person who has signed.

Signature ⁴.....

(-----) ⁵....

To
The Controller of Patents,
The Patent Office,
At

Note: For fee : See First Schedule.

[Handwritten signatures and initials in blue ink at the bottom of the page]

FORM 18
THE PATENTS ACT, 1970
 (39 of 1970)
 &
The Patents Rules, 2003
REQUEST/EXPRESS REQUEST FOR EXAMINATION
OF APPLICATION FOR PATENT
 [See section 11B and rule 20(4)(ii), 24B(1)(i)]

(FOR OFFICE USE ONLY)

RQ. No:
 Filing Date:
 Amount of Fee Paid:
 CBR No:
 Signature:

1. APPLICANT (S)/OTHER INTERESTED PERSON

(a) NAME :

(b) NATIONALITY :

(c) ADDRESS :

2. Statement in case of request for examination made by the applicant(s)

I/We hereby request that my/our application for patent no. _____ filed on _____
 for _____ the _____ invention
 titled _____ shall be
 examined under sections 12 and 13 of the Act.

Or

I/We hereby make an express request that my/our application for patent no. _____ filed on _____
 _____ based on Patent Cooperation Treaty (PCT) application no.
 _____ dated _____
 made in country _____ shall be examined under sections 12 and 13 of the
 Act, immediately without waiting for the expiry of 31 months as specified in rule 20(4)(ii).

3. Statement in case of request for examination made by any other interested person

I/We the interested person request for the examination of the application no. _____ dated
 _____ filed by the applicant _____ titled _____
 under sections 12 and 13 of the Act.

As an evidence of my/our interest in the application for patent following documents are submitted.

(a) _____

4. ADDRESS FOR SERVICE

Dated this _____ day of _____ 20____

Signature
Name of the signatory

To, The Controller of Patent
The Patent Office, at

NOTE:
 *To be signed by the applicant(s) or by his authorized registered patent agent
 *Strike out the column which is/are not applicable

Handwritten signatures and initials:
 (Left side) *Handwritten marks*
 (Bottom center) *Handwritten signature*
 (Bottom right) *Handwritten signature*
 (Far right) *Handwritten signature*

FORM 18 A
THE PATENTS ACT, 1970 and THE PATENT
RULES, 2003
REQUEST FOR EXPEDITED EXAMINATION OF
APPLICATION FOR PATENT
 [See section 11B and Rule 24C]

(FOR OFFICE USE ONLY)

RQ. No.:
 Filing Date:
 Amount of fee Paid: CBR no:
 Signature:

1. APPLICANT(s)
 (A) NAME:
 NATIONALITY:
 ADDRESS:

2. I/We hereby request that
 my/our application for patent no. filed on for
 the invention titled
 shall be examined under sections 12 and 13 of the Act.

Or
 I/We hereby request that my/our application for patent no.
 filed on for
 The invention titled

..... based on Patent Cooperation
 Treaty (PCT) application no. dated made in country shall
 be examined under sections 12 and 13 of the Act, immediately without waiting for the expiry of 31
 months as specified in rule 20(4)(ii).

Or
 I/We hereby request that my/our request for examination bearing no for application
 for patent no. filed on for the
 invention titled may be converted to a request for
 expedited examination of patent application under rule 24C and the application shall be examined under
 sections 12 and 13 of the Act.

3. The applicant(s) to indicate (by ticking the appropriate box) any of the grounds applicable in case of
 request for expedited examination made by on any of the following grounds:

- that the applicant is a startup, or
- that India has been indicated as the competent International Searching Authority or elected as
 an International Preliminary Examining Authority in the corresponding international application.

ADDRESS FOR SERVICE IN INDIA:

Dated this day of 20.....

To,
 The Controller of Patent
 The Patent Office, at

Signature
 Name of the signatory

NOTE:

- To be signed by the applicant(s) or by his/ their authorized registered patent agent
- * Strike out the column(s) which is/ are not applicable.
- * For fee: See First Schedule.

[Handwritten signatures and initials]

* For fee : See First Schedule

FORM 19
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR REVOCATION OF A PATENT
FOR NON WORKING
[See section 85(1); rule 96.]

1. Name, address and nationality of the applicant(s).

I/We, ¹.....
.....

2. State the nature of the applicant's interest, the facts on which he relies and the grounds on which the application is made.

hereby apply for revocation of Patent No.....dated..... granted to.....for which the patentee/applicant for patent is.....for the following reason, namely:
².....

3. Certified copies of all the documents are to be enclosed in duplicate.

The details of documentary evidence in support of my/our interest and the reasons stated above are given below : ³.....

- (a)
- (b)
- (c)

4. Complete address including postal index number/ code and state along with telephone and fax number(s).

I/We declare that the facts and matters stated herein are true to the best of my/our knowledge, information and belief.

My/Our address for service in India is. ⁴
.....
.....

5. To be signed by the applicant(s) or his authorized registered patent agent.

Dated this day of 20

Signature . ⁵.....
(-----) ⁶

6. Name of the natural person who has signed.

To
The Controller of Patents,
The Patent Office,
At

Note : (a) For fee : See First Schedule.

(Handwritten signatures and initials)

(b) Strike out whichever is not applicable

FORM 20
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR REVISION OF
TERMS AND CONDITIONS OF LICENCE
[See section 88(4); rule 100]

1. Name, address and nationality of the applicant(s).

I/We¹.....
.....
.....
.....
hereby declare :

(i) that Patent No.....dated to
was granted for which
the patentee is

(ii) that I/We am/are holding licence under the patent, granted by the Controller by an order dated.....

(i) that the terms and conditions settled by the Controller have proved to be more onerous than originally expected and we are unable to work the invention.

(iv) that the circumstances in which this application is made are set forth in the accompanying statement in duplicate.

I/ We request the Controller to revise the terms and conditions of the licence.

Dated this day of 20

Signature²

(-----)³

To
The Controller of Patents,
The Patent Office,
At

2. To be signed by the applicant(s) or by his authorised registered patent agent.

3. Name of the natural person who has signed.

Note : (a) For fee : See First Schedule.
(b) Strike out whichever is not applicable.

[Handwritten signatures and initials in blue ink]

FORM 21
THE PATENTS ACT, 1970
(38 of 1970)

&
The Patents Rules, 2003
REQUEST FOR TERMINATION OF COMPULSORY LICENCE
[See section 94; rule 102(1)]

1. Name, address and nationality of the applicant(s).

I/We¹

hereby apply for the termination of the compulsory licence granted to

.....by the order of the Controller dated.....under patent No/

No..... dated..... granted to.....for which the patentee

2. Certified copies of the documents are to be enclosed in duplicate.

I/we declare that I am/We are the patentee for the above mentioned patent

I/we declare that I/we derive title/interest in the patent.

I/we make the above mentioned request for termination on the following grounds, namely:

.....

3. Complete address including postal code and state along with telephone and fax number(s).

I/we declare that the facts and matters stated herein are true to the best of my/our knowledge, information and belief.

The details of documentary evidence in support of my/our interest and the grounds stated above are given below:²

4. To be signed by the applicant(s) or by his authorized registered patent agent.

(a)

(b)

(c)

My/our address for service in India is:³

5. Name of the natural person who has signed.

Dated this day of..... 20

Signature .⁴)⁵

(
To
The Controller of Patents,
The Patent Office,
At

[Handwritten signatures and marks at the bottom of the page]

Note : (a) For fee : See First Schedule.

(b) Strike out whichever is not applicable.

FORM 22
THE PATENTS ACT, 1970
(39 of 1970)

&

The Patents Rules, 2003
APPLICATION FOR REGISTRATION OF PATENT AGENT
[See rules 109(1) and 112]

I beg to apply for registration as a patent agent under the Patents Act, 1970

A certificate of character¹

From.....
.....
.....
is enclosed herewith.

1 Certificate testifying to the character of the applicant should be from a person not related to him and being a Gazetted Officer or any other Person whom the Controller thinks fit.

I hereby declare that I am not subject to any of the dis-qualifications specified in rule 114 of the Patents Rules 2003 and that the information given below is true to the best of my knowledge and belief.

Name:².....
.....
Address/place of residence:

Principal place of business:

Address of the branch office if any:

Father's name:

Nationality:

Date and place of birth:

Occupation:

2 Family or principal name in the beginning.

3 Either original certificates and other documents or copies thereof duly attested by the Gazetted Officer or any other person whom the Controller thinks fit must be sent with the application

Particulars of qualification for registration as patent agent.³

- (a)
- (b)
- (c)

[Handwritten signatures and marks]

Dated this day of20

Signature⁴

(-----)⁵

To
The Controller of Patents
The Patent Office
at

- 4 To be signed by the applicant.
- 5 Name of the natural person who has signed.

Note: (a) For fee : See First Schedule
 (b) Attach two recent passport size photographs
 (c) Provide specimen signature in separate sheet

FORM - 23
THE PATENTS ACT, 1970
(39 of 1970)

&

The Patents Rules, 2003

APPLICATION FOR THE RESTORATION OF THE NAME IN THE REGISTER OF PATENT AGENTS

[See section 130(2); rule 117(1)]

I,
 hereby apply for the restoration of my name in the register of patent agent which was removed on under section 130 or Rule 116. My name was originally entered in the register onunder No

Dated this day of20

Signature¹

- 1 To be signed by the applicant.
- 2 Name of the natural person who has signed.

(-----)²

To
The Controller of Patents
The Patent Office
at

Note: For fee: See First Schedule.

[Handwritten signatures and marks]

Handwritten signatures and marks at the bottom of the page, including a large blue signature on the left, a checkmark, and several other signatures in blue and black ink.

FORM 24
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003
APPLICATION FOR REVIEW/SETTING ASIDE
CONTROLLER'S DECISION/ORDER

[See sections 77(1)(f) and 77(1)(g) and rules 130(1) and 130(2)]

1. State the number of patent or patent application number and the relevant proceeding. In the matter of¹
2. Name, address and nationality of the applicant(s) and I/We²

being the applicant(s)/opponent/party in the above matter hereby apply for the review/setting aside of the Controller's decision/order dated the in the above matter.

The grounds for making the application are set forth in the accompanying statement submitted in duplicate.

Dated this day of 20

3. To be signed by the applicant(s) or his authorized registered patent agent.
4. Name of the natural person who has signed.

Signature³

.....⁴

To
The Controller of Patents
The Patent Office
at

Note: For fee: See First Schedule.

Handwritten signatures and initials at the bottom of the page, including a large signature 'Rajesh' and several other names like 'Vijay', 'Ravi', 'Suresh', 'Anand'.

FORM 25
THE PATENTS ACT, 1970
(39 of 1970)

&
The Patents Rules, 2003

No Fee REQUEST FOR PERMISSION FOR MAKING PATENT APPLICATION OUTSIDE INDIA

[See section 39 and Rule 71(1)]

1. State the title of the invention.

I am/We are in possession of an invention for¹

I/We have made an application for the grant of a patent for the said invention, its number being No.....of
.....Dated.....

2. Name and address of the person (s)

I/we hereby attach the brief description of the invention.

I/We intend to make application (s) alone/jointly with².....

3. Name and address of the assignee

.....
for the same/substantially same invention for patent in the following country/countries/convention countries, namely:-
.....

..... I/We declare that the rights in the application (s) has/have been assigned to³
.....

I/We request that I/We may be granted permission to make application (s) for the said invention in the said country/countries. The reasons for making this application, are as follows:-

The facts and matters stated above are true to the best of my/our knowledge, information and belief.
Dated thisday of20

4. To be signed by the applicant (s) or authorised patent agent.

Signature⁴.....

To
The Controller of Patents
The Patent Office
at

Note: (a) Strike out whichever is not applicable.

[Handwritten signatures and initials in blue ink at the bottom of the page]

**FORM 26
THE PATENTS ACT, 1970
(30 of 1970)**

&

The Patents Rules, 2003

**FORM FOR AUTHORISATION OF A PATENT AGENT/OR ANY
PERSON IN A MATTER OR PROCEEDING UNDER THE ACT**

[See sections 127 and 132; and rule 135]

1. Insert name, address and nationality. I/We¹
2. Insert the name, address and nationality of the person(s) to be authorized. hereby authorise²
3. State the particular matter or proceeding for which the authorisation is made. to act on my/our behalf in connection with³
and request that all notices, requisitions and communication relating thereto may be sent to such person at the above address unless otherwise specified.

I/We hereby revoke all previous authorisation, if any made, in respect of same matter or proceeding.

I/We hereby assent to the action already taken by the said person in the above-matter.

Dated this day of/20

4. To be signed by the person(s) making this authorisation.

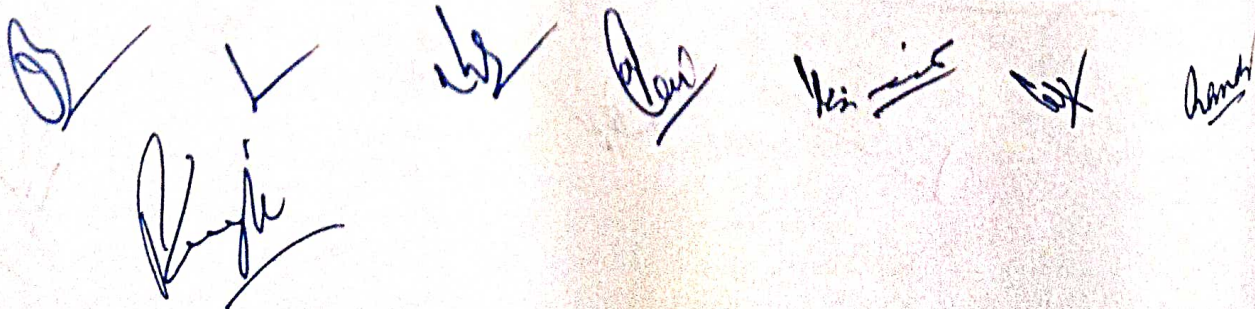
Signature⁴

5. Name of the natural person who has signed along with designation and official seal, if any.

.....⁵

To
The Controller of Patents
The Patent Office
at

To be stamped under the Indian Stamp Act, 1899 (2 of 1899).



"FORM 27
THE PATENTS ACT, 1970
(39 of 1970)
AND
THE PATENTS RULES, 2003

No Fee

STATEMENT REGARDING THE WORKING OF PATENTED INVENTION(S) ON A COMMERCIAL SCALE IN INDIA

[See section 146(2) and rule 131(1)]

1. Insert name, address, nationality, patent number(s).	I/ We, the Patentee(s)/ Licensee, in respect of patent number(s), furnish this statement, (Explanation: One form may be filed in respect of multiple patents, provided all of them are related patents, wherein the approximate revenue / value accrued from a particular patented invention cannot be derived separately from the approximate revenue/value accrued from related patents, and all such patents are granted to the same patentee(s)).
2. State the financial year to which the statement relates.	in respect of the financial year

3. Worked / not worked. Please state whether each patent in respect of which this form is being filed is worked or not worked.	Patent Number(s)	Worked [Tick (✓) if applicable]	Not worked [Tick (✓) if applicable]

4. If worked.	(a) Approximate revenue / value accrued in India to the patentee(s)/ licensee furnishing the statement from patent number(s) where the working is through:	
	(1) Manufacturing in India (in INR)	(2) Importing into India (in INR)
	(b) Brief in respect of (a) above (maximum 500 words)	

5. If not worked.	Reasons for not working the patented invention(s) and steps being taken for working of the invention(s). (maximum 500 words)
-------------------	--

The facts and matters stated above are true to the best of my/ our knowledge, information and belief.
Dated this day of 20.....

6. To be signed by Patentee(s) / Licensee / Authorised Agent furnishing the statement.	Signature(s) To The Controller of Patents, The Patent Office, at
--	--

Note: Every patentee and every licensee (exclusive or otherwise) is required to file this Form; where a patent is granted to two or more persons, all such patentees may file this Form jointly; however, each licensee shall file this Form individually. "

(Handwritten signatures and initials)

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.	<p>I/We</p> <p>.....</p> <p>applicant/ patentee in respect of the patent application no. or patent no.</p> <p>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:</p>
2	<p>Documents to be submitted</p> <p>i. For claiming the status of a small entity:</p> <p>A. For an Indian applicant: Evidence of registration under the Micro, Small and Medium Enterprises Act, 2006 (27 of 2006).</p> <p>B. In case of a foreign entity: Any other document.</p> <p>ii. For claiming the status of a startup</p> <p>A. For an Indian applicant: Any document as evidence of eligibility, as defined in rule 2(fb).</p> <p>B. In case of a foreign entity: Any other document.</p> <p>iii. For claiming the status of an educational institution</p> <p>A. For an Indian applicant: Any document as evidence of eligibility</p> <p>B. In case of a foreign educational institution: Any other document.</p>	
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.
4	Name of the natural person who has signed	Dated this day of 20...
5	Designation and official seal, if any, of the person who has signed.	Signature
		(Name)
		(Designation)
		To The Controller of Patents, The Patent Office, At

(Handwritten signatures and initials in blue ink)

"FORM 29

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

REQUEST FOR WITHDRAWAL OF THE APPLICATION FOR PATENT

[See Section 11B(4) and rules 7(4A), 26]

1. Name of the applicant

I/ We _____ request that
the application for patent numbered
_____ dated _____ filed by
me/us, if applicable, having the request for
examination / request for expedited examination
numbered.....
_____ dated _____
be treated as withdrawn under rule 7(4A) / 26.

2. To be signed by the applicant or his
authorized registered patent agent

Dated _____ day of _____

Signature

(_____)

(Name)

(Designation)

3. Name of the natural person who has
signed

To

The Controller of Patents

Patent Office at _____

N.B. strike out whichever not applicable

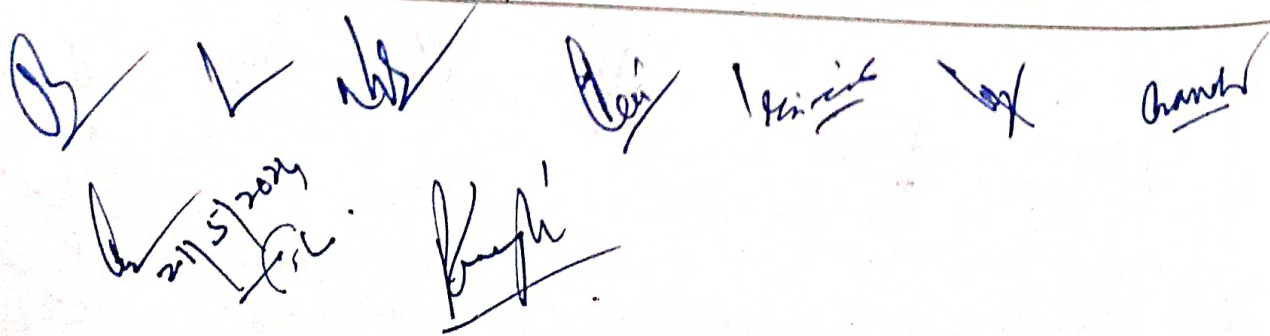
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FORM 30
THE PATENTS ACT, 1970
(39 of 1970)
and
THE PATENTS RULES, 2003
TO BE USED WHEN NO OTHER FORM IS PRESCRIBED

[See sub-rule (2) of Rule 8]

1. Name of the Applicant/Patentee/Other	I/We			
2. Complete address including postal index number/code and State along with e-mail ID, telephone, mobile and fax number.	House No.	--	Telephone No.	--
	Street	--	Mobile No.	---
	City	--	Fax No.	--
	State	--		
	Country	--		
Pin code	--	E-mail ID	--	
3. Application No. / Patent No.				
4. Relevant section / rules				
5. Purpose of request				
6. Details of request				
7. To be signed by applicant	Signature.....			
8. Name of the natural person who has signed along with designation and official seal, if any.	(.....)			
	To, The Controller of Patents, The Patent Office, at			



21/5/2024
 [Handwritten initials and signatures]