



Intellectual Property Rights (IPR) Policy

31 / 07 / 2024

CONTENTS

S. No	Title
1	Preamble
2	Introduction to IP
3	Objectives
4	Scope
5	Ownership of IP
6	Copyright
7	Technology Transfer
8	Commercialization
9	IP Process Revenue and Sharing
10	Infringements, Damages, Liability and Indemnity
11	Conflict of Interest
12	Jurisdiction
13	Appendix

1

Preamble

The goal of New Horizon College of Engineering (NHCE), Bengaluru, is to become an internationally renowned institution through a number of activities. NHCE has established committees and cells to promote excellence in research and development in addition to teaching excellence. To assist with these efforts, NHCE has also made the Research Committee Protocols and Incentives Document accessible. The policy for managing intellectual property rights (IPR) and creating intellectual property (IP) is contained in this document.

Employees of NHCE have the right to determine whether the findings of any study they conduct while working for the Institute will be published or displayed as intellectual property. If a specific research project has the potential to produce intellectual property, it should be protected in accordance with IPR policy unless the institute provides an exemption (NHCE).

2

Introduction to Intellectual Property (IP)

Any intellectual property resulting from human intellect or creativity that is distinct, new, and not easily identifiable and that is eligible for protection under applicable government acts governing patents, copyrights, industrial designs, trademarks, semiconductor integrated circuit layout designs (SiCLD), and intellectual property for plant varieties. IP can take one of the following designs: information and other confidential ideas; solutions, methods, including inventions; advancements in science or technology, and even computer programs, genetically modified microorganisms business models, and other forms, as applicable. If the inventor and the institute determine that protection of intellectual property is required, the aforementioned kinds of IP may be protected both domestically and internationally through the domestic and foreign patent offices.

The intellectual output of faculty members, staff and students may have potential. By taking these steps, the intangible intellectual property will be guaranteed to materialize into a marketable form. In such a scenario, the New Horizon Council for Innovation, Incubation and Entrepreneurship Policy will control the Guidelines for staff and student entrepreneurship.

3 Objectives

The goal of NHCE's intellectual property rights policy is to Establish an intellectual atmosphere among the institution's employees, students, and researchers that promotes the creation of new ideas and their protection through intellectual property (as mentioned in 2. above).

Support a technologically-driven indigenous culture to address local demands and improve the nation's socioeconomic standing.

Facilitate the development of educational schemes, models and products. Act as a gap finder/filler between the industry and the institution through multidisciplinary projects, products, startups and improvised systems of industrial automation.

4 Scope

All possible intellectual property (IP) and inventions that are created (thought or brought to practice, in whole or in part) by the Institute's employees, research scholars and students while they are engaged in activities related to the Institute must be promptly disclosed according to institution regulations. The relevant legal frameworks and additional protections for revealed intellectual property are identified by the institution.

All employees, research scholars, students and those working on sponsored or funded projects at the institute are covered by the IPR policy.

5 OWNERSHIP OF IP

5.1 NHCE Ownership

a) Intellectual property of any kind created by staff members, research scholars, students, visitors, trainees from other institutes participating in NHCE programs or using NHCE funds/facilities is owned by NHCE.

b) NHCE generally retains the right to protect any IP owned by it in its own name with due recognition to inventors.

5.1.1 Inventor Privilege:

The inventors undertake to follow all applicable terms of IPR Policy and seek written approval from NHCE. Herein all applicable fees to protect Intellectual Property and renewals and other administrative charges thereof are expected to be borne by NHCE.

b) Inventors/Applicants are required to clearly report applicant as “NEW HORIZON COLLEGE OF ENGINEERING, New Horizon Knowledge Park, Outer Ring Road, Near Marathalli, Bellandur (P), Bangalore-560103, Karnataka”, in their applications to protect Intellectual Property.

c) Inventors are required to share relevant details about them to be disclosed in IP and get the same reviewed and approved according to processes laid down in the IPR policy Document of NHCE before they initiate the filing process.

d) In specific cases and circumstances NHCE may change applicable terms on C above with suitable over-riding agreements.

5.2 Third-Party Ownership

Intellectual property ownership arising from:

i. A third party's partial or complete funding contribution to NHCE for the purpose of carrying out projects such as research, consultancy, technical studies and implementations, among other things, will be subject to the terms of the agreement between the third party and NHCE.

ii. IPR will stay with NHCE if there isn't a particular contract like that.

iii. Absent of any agreement to the contrary, NHCE shall maintain a non-exclusive, free, lifelong authorization to copy and use all intellectual property (IP) related to NHCE for teaching and research purposes.

6

COPYRIGHT

All copyrighted works, including software developed by NHCE staff members and students with substantial NHCE resource utilization, shall belong to NHCE.

Copyright for any instructional materials created by NHCE staff members for any of the institution's academic programs must belong to NHCE.

The thesis or dissertation that students produce as part of their academic program will be their copyright. In the absence of any agreements to the contrary, NHCE personnel will retain copyright on books and publications they author. NHCE, however, maintains the rights to duplicate thesis and books, publications, and other materials for educational and scientific purposes, as well as to distribute them to other academic institutions.

7

TECHNOLOGY TRANSFER

The Institute's intellectual property, which is either owned by NHCE or jointly by other Institutions, Industries, or Individuals, will be marketed for commercial exploitation through technology transfer, licensing, and revenue sharing arrangements.

The IP that NHCE owns will be identified by NHCE as a possible licensee or licensees. When joint ownership is involved, the organization or industry that funded the activity will have the first say over how to use and profit from any intellectual products that come from the partnership, whether or not such products are formally protected by patent(s). In order to get a license for commercial exploitation, parties must pay a technology transfer fee and royalties starting on the date of the first commercial exploitation and continuing for a mutually agreed-upon time.

NHCE retains the right to transfer the aforementioned know-how to a Third Party for its commercial exploitation and use if the other cooperating organization, industry, and/or individual(s) do not commence the commercial exploitation within a reasonable two-year period from the date of the technology's first development. But in that case, NHCE will, in accordance with any existing agreements, split the net proceeds from such commercial assignments.

8

COMMERCIALIZATION

- a) NHCE is responsible for marketing the intellectual property and finding possible licensees for the IP that it both owns and has rights assigned to.
- b) The creators may also proactively engage possible licensees for the IP in cases where exclusive rights have not already been granted to a third party, all the while maintaining confidentiality and taking all required precautions to guarantee that the IP's value is unaffected.
- c) Expertise: Following the interested party's signature of a non-disclosure agreement, the inventor is asked to share knowledge of the technique and assist in the marketing of the intellectual property.

9

IP PROCESS AND REVENUE SHARING

a) The following terms would be mutually shared by inventors/applicants and NHCE regarding the net earnings from the commercialization of IP, after deducting target amounts for the specific academic year in compliance with applicable procedures outlined in Research Committee Protocols and Incentives Document.

50% of the share goes to the inventor(s) or applicants. 50% is the NHCE portion (payable to NHCE)

The income sharing mentioned above is applicable in both cases—NHCE owning the intellectual property and applicants/inventors holding IP under NHCE-granted inventor privilege. Additionally, the revenue sharing arrangement mentioned above could change from through periodic updates to the Protocols and Incentives Document of the NHCE Research Committee.

b) Unless specified differently, the portion of the inventors/applicant(s) is split equally among them.

10**INFRINGEMENTS, DAMAGES,
LIABILITY AND INDEMNITY**

NHCE might, as a matter of policy, seek reimbursement from any legal procedures involving this, but not limited to, manufacturing defects, production difficulties, design guarantee, upgradation and debugging obligation, in any contract between the licensee and NHCE.

NHCE will also make sure that, when providing technology or intellectual content to licensees, NHCE employees' agreements with licensee(s) include a reimbursement clause. NHCE should have the right to bring legal action over patent and licensing infringements or to refrain from doing so.

11**CONFLICT OF INTEREST**

Any conflict of interest, real or potential, must be disclosed by the inventor(s). In the event that the inventor(s) or members of their close family own stock in a licensee-business, they must reveal such ownership.

NHCE approval is required for any licensing or assignment of patent rights to the licensee-company that they, or any member of their immediate family, have in the business.

12**JURISDICTION**

As a rule, all agreements that NHCE signs would be subject to Indian law and will fall under the purview of Bengaluru's courts.

Appendix

Details of the Forms required to be filed under The Patents Rules 2003

Number of Entry	On what payable	Number of the relevant Form	For e-filing		For physical filing	
			Natural person or startup or small entity or educational institution	Other(s), alone or with natural person or startup or small entity or educational institution	Natural person or startup or small entity or educational institution	Other(s), alone or with natural person or startup or small entity or educational institution
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.
	(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); (ii) for each claim in addition to 10; (iii) for each page of sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9).		(i) 160 (ii) 320 (iii) 160 subject to a maximum of 24000	(i) 800 (ii) 1600 (iii) 800 subject to a maximum of 120000	(i) 180 (ii) 350 Not allowed	(i) 880 (ii) 1750 Not allowed
	*An application for a patent made under section 54 shall be eligible for a reduction of 50 per cent in fee as compared to other applications.					
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); (ii) for each claim in addition to 10. (iii) for each page of sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9).		(i) 160 (ii) 320 (iii) 160 subject to a maximum of 24000	(i) 800 (ii) 1600 (iii) 800 subject to a maximum of 120000	(i) 180 (ii) 350 Not allowed	(i) 880 (ii) 1800 Not allowed

	Note: A specification in respect of an application for a patent made under section 54 shall be eligible for a reduction of 50 per cent in fee as compared to other specifications.					
3.	On filing a statement and undertaking under section 8.	3	No fee	No fee	No fee	No fee
4.	i) 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
	ii) On request for extension of time or condonation of delay (per month) under sub-rule (4) of rule 12 or sub-rule (2) or rule 131.	4	2000	10000	2200	11000
	iii) On request for extension of time under sub-rule (6) of rule 24B (per month).	4	1000	4000	1100	4400
	iv) On request for extension of time under sub-rule (11) of rule 24C (per month).	4	2000	10000	2200	11000
	v) On request for extension of time under rule 138 (per month).	4	10000	50000	11000	55000
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
	(ii) On request for direction under section 20 (4) or 20 (5).	6	800	4000	880	4400
9.	(i) On notice of opposition to grant of patent under section 25(2);	7	8000	40000	Not allowed	Not allowed
	(ii) On filing representation opposing grant of patent under section 25(1).	7A	4000	20000	Not allowed	Not allowed

10.	On giving notice that hearing before Controller shall be attended under rule 62(2).	-	1500	7500	1700	8300
11.	On application under section 28(2).	8	No fee	No fee	No fee	No fee
	On application under sections 28(3) or 28(7).	8	800	4000	880	4400
12.	Certificate of inventorship under rule 70A.	8A	900	Not applicable	1000	Not applicable
13.	Request for publication under section 11A(2) and rule 24A.	9	2500	12500	2750	13750
14.	On application under section 44 for amendment of patent.	10	2400	12000	2650	13200
15.	On application for directions under section 51(1) or 51(2).	11	2400	12000	2650	13200
16.	On request for grant of a patent under sections 26(1) and 52(2).	12	2400	12000	2650	13200
17.	On request for converting a patent of addition to an independent patent under section 55 (1).	-	2400	12000	2650	13200
18.	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 respect of the 15th year;	-	4800	24000	5300	26400
(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
19.	On application for amendment of application for patent or complete specification or other related documents under section 57—	13				
(i)	before grant of patent;		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
20.	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
21.	On application for restoration of a patent under section 60.	15	2400	12000	2650	13200

22.	Additional fee for restoration under section 61(3) and rule 86(1).	—	4800	24000	5300	26400
23.	On notice of offer to surrender a patent under section 63.	—	No fee	No fee	No fee	No fee
24.	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)
25.	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
26.	On request for entry of an additional address for service in the Register of Patents under rule 94(3).	—	800	4000	880	4400
27.	On application for compulsory license under sections 84(1), 91(1), 92(1) and 92A.	17	2400	12000	2650	13200
28.	On request for examination of application for patent— (i) under section 11B and rule 24(1); (ii) under rule 20(4)(ii).	18	4000 5600	20000 28000	4400 6150	22000 30800
29.	On request for expedited or delayed examination of application for patent under rule 24C.	18A	8000	60000	Not allowed	Not allowed
30.	Conversion of the request for examination filed under rule 24B to request for expedited or delayed examination under rule 24C.	18A	4000	40000	Not allowed	Not allowed
31.	On application for revocation of a patent under section 85(1).	19	2400	12000	2650	13200
32.	On application for revision of terms and conditions of licence under section 88(4).	20	2400	12000	2650	13200

33.	On request for termination of compulsory licence under section 94.	21	2400	12000	2650	13200
34.	On application for registration as a patent agent under rule 109(1) or rule 112.	22	3200	Not applicable	3500	Not applicable
35.	On request for appearing in the qualifying examination under rule 109(3).	—	1600	Not applicable	1750	Not applicable
36.	For continuance of the name of a person in the register of patent agents— for the 1st year to be paid along with registration;	—	800	Not applicable	880	Not applicable
	(ii) for every year excluding the 1st year to be paid on the 1st April in each year.	—	800	Not applicable	880	Not applicable
37.	On application for duplicate certificate of patent agent under rule 111A.	—	1600	Not applicable	1750	Not applicable
38.	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 36)	Not applicable	1750 (Plus continuation fee under entry number 36)	Not applicable
39.	On a request for correction of clerical error under section 78(2).	—	800	4000	880	4400
40.	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
41.	On application for permission for applying patent outside India under section 39 and rule 71(1).	25	1600	8000	1750	8800
42.	On application for duplicate patent under section 154 and rule 132.	—	1600	8000	1750	8800
43.	(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)
44.	For certifying office copies, printed each.	—	800	4000	880	4400
45.	On request for inspection of register under section 72, inspection under rule 27 or rule 74A.	—	320	1600	350	1750
46.	On request for information under section 153 and rule 134.	—	480	2400	530	2650
47.	On form of authorization of a patent agent.	26	No fee	No fee	No fee	No fee
48.	On petition not otherwise provided for.	—	1600	8000	1750	8800
49.	For supplying of photocopies of the documents, per page.	—	10	10	10	10
50.	Transmittal fee for international application.	—	3200	16000	3500	17600
51.	Transmittal fee for international application (for ePCT filing).	—	No fee	No fee	Not applicable	Not applicable
52.	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)
53.	For preparation of certified copy of priority document and e-transmission through WIPO DAS.	—	No fee	No fee	Not applicable	Not applicable
54.	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
55.	To be submitted for claiming the status of a small entity or startup.	28	No fee	No fee	No fee	No fee
56.	Application for withdrawing the application under section 11B(4), and rules 7(4A) and 26.	29	No fee	No fee	No fee	No fee
57.	Request for adjournment of hearing under rule 129A (for each adjournment).	-	1000	5000	1100	5500

58.	Miscellaneous form under rule 8(2), to be used when no other form is prescribed.	30	As Applicable			
59.	Grace period.	31	500	2500	550	2750

FORM 1 THE PATENTS ACT 1970 (39 of 1970) and THE PATENTS RULES, 2003 APPLICATION FOR GRANT OF PATENT (See section 7, 54 and 135 and sub-rule (1) of rule 20)				(FOR OFFICE USE ONLY)			
				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 ()		PPH ()	
Divisional ()	Patent of Addition ()	Divisional () ()	Patent of Addition ()	Divisional ()	Patent of Addition ()		
3A. APPLICANT(S)							
Name in Full	Gender (optional, for individuals)	Nationality	Country of Residence	Age (optional, for natural persons)	Address of the Applicant		
	- Male - Female - Others - Prefer not to disclose			- _____ years - Prefer not to disclose	House No.		
					Street		
					City		
					State		
					Country		
					Pin code		
					Email (OTP verification mandatory -will be redacted)		
					Contact number (OTP verification mandatory -will be redacted)		
3B. CATEGORY OF APPLICANT [Please tick (✓) at the appropriate category]							
Natural Person ()		Other than Natural Person ()				Educational institution ()	
		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 ()		

If "No", furnish the details of the inventor(s)						
Name in Full	Gender (optional, for natural persons)	Nationality	Age (optional, for natural persons)	Country of Residence	Address of the Inventor	
	- Male - Female - Others - Prefer not to disclose		- ____ years - Prefer not to disclose		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. (OTP verification mandatory-will be redacted)		
7. ADDRESS FOR SERVICE OF APPLICANT IN INDIA				Name		
				Postal Address		
				Telephone No.		
				Mobile No. (OTP verification mandatory-will be redacted)		
				Fax No.		
				E-mail ID (OTP verification mandatory-will be redacted)		
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						

<p>(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)</p>			
<p>(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</p>			
<p>(iii) Declaration by the applicant(s) I/We the applicant(s) hereby declare(s) that: -</p> <ul style="list-style-type: none"> <input type="checkbox"/> I am/We are in possession of the above-mentioned invention. <input type="checkbox"/> The provisional/complete specification relating to the invention is filed with this application. <input type="checkbox"/> 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. <input type="checkbox"/> There is no lawful ground of objection(s) to the grant of the Patent to me/us. <input type="checkbox"/> I am/we are the true & first inventor(s). <input type="checkbox"/> I am/we are the assignee or legal representative of true & first inventor(s). <input type="checkbox"/> 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). <input type="checkbox"/> 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. <input type="checkbox"/> My/our application in India is based on international application under Patent Cooperation Treaty (PCT) as mentioned in Paragraph-9. <input type="checkbox"/> 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. <input type="checkbox"/> The said invention is an improvement in or modification of the invention particulars of which are given in Paragraph-11. 			
<p>13. FOLLOWING ARE THE ATTACHMENTS WITH THE APPLICATION</p>			
<p>(a) Form 2</p>			
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		

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.

* For fee: See First Schedule.

FORM 2 THE PATENT ACT 1970 (39 of 1970) & The Patents Rules, 2003 PROVISIONAL/COMPLETE SPECIFICATION (See section 10 and rule13)	
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 specification 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	

FORM 3

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

STATEMENT AND UNDERTAKING UNDER SECTION 8

(See sub-rule (2) and (3) of Rule 12)

1. Name of the applicant(s).		I/We..... hereby declare:			
2. Name, address and nationality of the joint applicant.		(i) that I/We who have made the application for patent number in India, dated, alone/jointly with....., (ii) that I/We have not made any application for the same/substantially the same invention outside India Or (iii) that I/We have 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 disposal
3. Name and address of the assignee		(i) that the rights in the application(s) filed in India has/have been assigned to (ii) that I/We undertake that upto the date of grant of the patent by the Controller, I/We would keep him informed in writing regarding the details of corresponding applications for patents filed outside India in accordance with the provisions contained in section 8 and rule 12. 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 OR CONDONATION OF DELAY

[See sections 53(2), and 142 (4); rules 12(5), 13(6), 24B(6), 24C(11), 80(1A), 130, 131(2) and 138]

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 the applicant or his authorized registered patent agent	Signature (.....)
3. Name of the natural person who has signed	
	To The Controller of Patents, The Patent Office, at.....
Note. - For fee: See First Schedule.	

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.

I/We,¹ _____

(a)² _____

(b)³ _____

(c)⁴ _____

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.

hereby request that the application for patent

No.....dated

made by⁵. _____

4. Insert the nationality.

5. State the name of the applicant(s) for patent.

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

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.

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 _____

7. Insert the details of the documents.

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

My/our address for service in India is:⁸

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

10. Name of the natural person
who has signed.

Dated this day of, 200

(Signature⁹ ..
-----) 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.....

hereby give notice of opposition to

2. State the grounds taken one
after another.

patent No.) granted on

application No.dated.....

published on dated.....made

by

on the grounds².

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.

(Signature⁴ ..
-----) ⁵....

To
The Controller of Patents,
The Patent Office,
At

For fee : See First Schedule.

10. Name of the natural person
who has signed.

Dated this day of, 200

(Signature⁹ ..
-----) 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.....

hereby give notice of opposition to

2. State the grounds taken one
after another.

patent No.) granted on

application No.dated.....

published on dated.....made

by

on the grounds².

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

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

.....

.....

5. Name of the natural person
who has signed.

(Signature⁴ ..
-----) ⁵....

To
The Controller of Patents,
The Patent Office,
At

For fee : See First Schedule.

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

<p style="text-align: center;">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)]</p>	<p style="text-align: center;">(FOR OFFICE USE ONLY)</p> <p>RQ. No: Filing Date: Amount of Fee Paid: CBR No: Signature:</p>
<p>1. APPLICANT (S)/OTHER INTERESTED PERSON (a) NAME : (b) NATIONALITY : (c) ADDRESS :</p>	
<p>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).</p>	
<p>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) _____</p>	
<p>4. ADDRESS FOR SERVICE</p>	
<p style="text-align: center;">Dated this _____ day of _____ 20____</p> <p style="text-align: center;">Signature Name of the signatory</p> <p>To, The Controller of Patent The Patent Office, at</p>	
<p>NOTE: *To be signed by the applicant(s) or by his authorized registered patent agent *Strike out the column which is/are not applicable</p>	

<p style="text-align: center;">“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]</p>	<p style="text-align: center;">(FOR OFFICE USE ONLY)</p> <p>RQ. No.:</p> <p>Filing Date:</p> <p>Amount of fee Paid:</p> <p>CBR no:</p> <p>Signature:</p>
<p>1. APPLICANT(s)</p> <p>(A)NAME:</p> <p>(B) NATIONALITY:</p> <p>(C) ADDRESS:</p>	
<p>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.</p> <p style="text-align: center;">or</p> <p>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).</p> <p style="text-align: center;">or</p> <p>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.</p>	

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

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/ their authorized registered patent agent

"Strike out the column(s) which is/ are not applicable.";

For fee: See First Schedule.";

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 and 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 not worked, please tick the appropriate reasons	<input type="checkbox"/> Patented Invention is under development/ commercial trial <input type="checkbox"/> Patented Invention is under Review/approval with Regulatory authorities <input type="checkbox"/> Exploring commercial licensing <input type="checkbox"/> Any other, may specify:		
5. Whether the patent is available for licensing	<input type="checkbox"/> YES <input type="checkbox"/> NO In case of YES, would you be interested in receiving communications from any person interested in seeking a license. If so, kindly provide contact details as below: Email address: Contact Number:		
	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		

“FORM 28
THE PATENTS ACT, 1970
(39 of 1970)
AND
THE PATENTS RULES, 2003
TO BE SUBMITTED BY A SMALL ENTITY /STARTUP/EDUCATIONAL INSTITUTION
[See rules 2 (fa), 2(fb), 2(ca) and 7]

1	Insert name, address and nationality.	I/We applicant/ patentee in respect of the patent application no.or patent no..... hereby declare that I/we am/are a small entity in accordance with rule 2(fa) or a startup in accordance with rule 2(fb) or an educational institution in accordance with rule 2(ca) and submit the following document(s) as proof:
2	Documents to be submitted	
	i. For claiming the status of a small entity:	
	A. For an Indian applicant: Evidence of registration under the Micro, Small and Medium Enterprises Act, 2006 (27 of 2006).	
	B. In case of a foreign entity: Any other document.	
	ii. For claiming the status of a startup	
	A. For an Indian applicant: Any document as evidence of eligibility, as defined in rule 2(fb).	
	B. In case of a foreign entity: Any other document.	
	iii For claiming the status of an educational institution	
	A. For an Indian applicant: Any document as evidence of eligibility	
	B. In case of a foreign educational institution: Any other document.	
3	To be signed by the applicant(s) / patentee (s) / authorised registered patent agent.	The information provided herein is correct to the best of my/our knowledge and belief. Dated thisday of 20...

4	Name of the natural person who has signed.	Signature
---	--	-----------------

	Designation and official seal, if any, of the person who has signed.	(Name) (Designation) To The Controller of Patents, The Patent Office, At.....”;
--	---	--

"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]

<p>1. Name of the applicant</p> <p>2. To be signed by the applicant or his authorized registered patent agent</p> <p>3. Name of the natural person who has signed</p> <p>N.B. strike out whichever not applicable</p>	<p>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.</p> <p>Dated -----day of-----</p> <p>Signature (_____) (Name) (Designation)</p> <p>To The Controller of Patents Patent Office at _____</p>
--	--

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	--			
	Street	--	No.	----			
	City	--	Mobile No.				
	State	--	Fax No.	--			
Country	--	E-mail ID	--	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"						



TRADE MARK INFRINGEMENT INNOVATION PROTECTION
TRADE RIGHTS COPYRIHT
DRESS INTELLECTUAL
DESIGN SIGN PROPERTY ASSETS
WORKS LAW EXCLUSIVE INDUSTRIAL PATENT SECRETS
INTANGIBLE

www.newhorizonindia.edu

Ring Road, Bellandur Post, Near Marathahalli,
Bengaluru, Karnataka 560103, India.

Follow us

