

13. Rule 137 of the said rules, shall be numbered as sub-rule (1) thereof and after sub-rule (1) as so renumbered, the following sub-rule shall be inserted namely, -

“(2) The provisions contained in sub-rule (1) shall be not be applicable for matters related to- (i) extension of time or condonation of delay under sub-rule (5) of rule 12; (ii) clause (i) of sub-rule (4) and sub-rule (6) of rule 20; (iii) rule 21; (iv) sub-rules (1), (5) and (6) of rule 24B; (v) sub-rules (10) and (11) of rule 24C; (vi) sub-rule (4) of Rule 55; (vii) sub-rule (1A) of rule 80; (viii) sub-rules (1) and (2) of rule 130; (ix) sub-rule(2) of rule 131.”.

14. For rule 138 of the said rules, the following rules shall be substituted, namely, -

"138. Power to extend time specified or condone delay: - Notwithstanding anything contained in these rules, the time specified for doing any act or taking any proceeding thereunder may be extended or any delay may be condoned by the Controller for a period of up to six months, upon a request made in Form 4, where such request is made before the expiry of the said period of six months:

Provided that such request may be made any number of times within the specified period of six months.’.

15. In the said rules, for Table I of THE FIRST SCHEDULE, the following table shall be substituted, namely, -

TABLE I

| “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); | | (i) 160 | (i) 800 | (i) 180 | (i) 880 |
| | (ii) for each claim in addition to 10; | | (ii) 320 | (ii) 1600 | (ii) 350 | (ii) 1750 |
| | (iii) for each page of sequence listing of nucleotides and/ or amino acid sequences under sub-rule (3) of rule (9). | | (iii) 160 subject to a maximum of 24000 | (iii) 800 subject to a maximum of 120000 | Not allowed | 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 |

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|----|--|---|--|--|--|---|
| | (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). 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. | | (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 |
| 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 | 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) |

| | | | | | | | |
|-----|---|-----|------|----------------|-------------|----------------|--|
| | 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). | | | | | | |
| 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 | 20000 | 4400 | 22000 | |
| | | | 5600 | 28000 | 6150 | 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; (ii) for every year excluding the 1st year | — | 800 | Not applicable | 880 | Not applicable | |
| | | | 800 | Not applicable | 880 | Not applicable | |

| | to be paid on the 1st April in each year. | | | | | |
|-----|---|----|--|---|--|---|
| 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 | — | 1000 (up to 30 pages and, thereafter, 30 for each | 5000 (up to 30 pages and, thereafter, 150 for each | 1100 (up to 30 pages and, thereafter, 30 for each extra | 5500 (up to 30 pages and, thereafter, 150 for each |

| | Property Organization. | | extra page) | extra page) | page) | 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 |

16. In the said rules, in THE SECOND SCHEDULE, in the LIST OF FORMS, -

(i) for the entry corresponding to “Form-4”, the following entry shall be substituted, namely, -

| | | |
|-----|--|--|
| "4. | Sections 53(2) and 142(4), rules 12(5), 13(6), 24B(6), 24C(11), 80(1A), 130 and 138. | Request for extension of time or condonation of delay.”; |
|-----|--|--|

(ii) after the entry corresponding to “Form-8”, the following entry shall be substituted, namely, -

| | | |
|------|-----------|--------------------------------|
| “8A. | Rule 70A. | Certificate of inventorship.”; |
|------|-----------|--------------------------------|

(iii) after the entry corresponding to “Form-30”, the following entry shall be inserted, namely, -

| | | |
|------|-------------------------|-----------------|
| "31. | Section 31 and rule 29A | Grace period.”. |
|------|-------------------------|-----------------|

17. In the said rules, in THE SECOND SCHEDULE: -

(i) for Form 1, the following Form shall be substituted, namely, -

| | | | |
|---|----------------|-----------------------|---------|
| “FORM 1 | | (FOR OFFICE USE ONLY) | |
| 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) | | | |
| | | 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 | | | | | | | |
| (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 | | | | | | | |
| (iii) Declaration by the applicant(s) | | | | | | | |
| I/We the applicant(s) hereby declare(s) that: - | | | | | | | |
| <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.

- 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 | | |

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.

| |
|---|
| <p>Dated this.....day of.....20.....</p> <p>Signature:</p> <p>Name:</p> <p>To,</p> <p>The Controller of Patents</p> <p>The Patent Office, at.....</p> <p>Note: -</p> <p>* Repeat boxes in case of more than one entry.</p> <p>* To be signed by the applicant(s) or by authorized registered patent agent otherwise where mentioned.</p> <p>* Tick (✓)/cross (x) whichever is applicable/not applicable in declaration in paragraph-12.</p> <p>* Name of the inventor and applicant should be given in full, family name in the beginning.</p> <p>* Strike out the portion which is/are not applicable.</p> <p>* For fee: See First Schedule.”;</p> |
|---|

(ii) for Form 3, the following Form shall be substituted, namely, -

| “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;”; | |

(iii) for Form 4, the following Form shall be substituted, namely, -

| | |
|---|--|
| 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.”; | |

(iv) after Form 8, the following Form shall be substituted, namely, -

| FORM 8A THE PATENTS ACT, 1970 (39 of 1970) and THE PATENTS RULES, 2003 Certificate of Inventorship [See rule 70A] | |
|---|---|
| 1. Name of the Inventor, and Patent Number. | I..... ¹ , Inventor in respect of Patent Number..... ¹ , hereby request for the grant of a ‘Certificate of Inventorship’ in respect of the Patent. <p style="text-align: center;">OR</p> I..... ¹ , Inventor in respect of Patent Number..... ¹ , hereby request for the grant of a duplicate certificate of inventorship in respect of the Patent. The statement setting out the circumstances in which the original certificate of inventorship was lost, destroyed, damaged or cannot be produced are as follows: |
| 2. To be signed by the inventor and the date of filing of this request. | Signature ² (BELOW INFORMATION IS MANDATORILY REQUIRED TO BE SUBMITTED) (Name of the Inventor who has signed) Aadhaar number of the Inventor (for indian inventors) House No. Apartment/Street City State Country Pin Code Mobile Phone: (OTP verification mandatory-will be redacted) Email: (OTP verification mandatory-will be redacted) Dated this.....day of20.... ² |
| | To The Controller of Patents, The Patent Office, at..... |
| Note.- This Certificate does not, in any manner whatsoever, confer or derogate from any rights under the patent.”; | |

(v) for Form 27, the following Form shall be substituted, namely, -

“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 | | |

Note: 1. Every patentee and every licensee (exclusive or otherwise) is required to file this Form; where a patent is granted to two or more persons, this form may be filed jointly by all or any of such persons.

2. Subject to conditions specified under the Patent Act, 1970 a patented invention shall not be considered as 'not worked' merely on the ground that the patented product has been imported in India."

(vi) after Form 30, the following Form shall be substituted, namely:-

“FORM 31
THE PATENTS ACT, 1970
 (39 of 1970)
AND
THE PATENTS RULES, 2003
GRACE PERIOD
[See section 31 and rule 29A]

| | | |
|---|--|---|
| 1. Name, address, nationality, and application number. | I/ We, the applicant, in respect of application number, filed on hereby claim the benefit of grace period provided under section 31. | |
| 2. Applicable provision | <input type="checkbox"/> Section 31(a) <input type="checkbox"/> Section 31(b) <input type="checkbox"/> Section 31(c) <input type="checkbox"/> Section 31(d) | |
| 3. Documents to be submitted as evidence. Note: Evidence may also include an affidavit. | (i) Section 31(a) | With reference to: a) the earliest date of display or use BOX FOR DDMMYYYY; and b) that the display occurred with the consent of the true and first inventor or a person deriving title from him; and YES NO c) that the display occurred at an industrial or other exhibition to which the provisions of this section have been extended by the Central Government by notification in the Official Gazette; the following documentary evidence is submitted: |
| | (ii) Section 31(b) | With reference to: a) the earliest date of publication or use; b) the documentary evidence in respect of section 31(a) above; and c) the documentary evidence to the effect that the publication of any description of the invention occurred in consequence of the display or use of the invention as stated in section 31(b); the following documentary evidence is submitted: |
| | (iii) Section 31(c) | With reference to: a) the earliest date of use; b) the documentary evidence in respect of section 31(a) or section 31(b) as mentioned above; and |

| | | |
|---|--|---|
| | | <p>c) the documentary evidence regarding use of the invention as stated in section 31(c); and</p> <p>d) the documentary evidence or affidavit that the use of the invention occurred without the consent of the true and first inventor or a person deriving title from him;</p> <p>the following documentary evidence is submitted:</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| | (iv) Section 31(d) | <p>With reference to:</p> <p>a) the earliest date of description or publication;</p> <p>b) the description of the invention in a paper read by the true and first inventor before a learned society;</p> <p>c) the description of the invention published by the true and first inventor or with his consent in the transactions of a learned society;</p> <p>the following documentary evidence is submitted:</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| 4. Undertaking | That my invention was in the public domain from DDMMYYYY and this application is made not later than 12 months from that date (earliest date as stated above in respect of section 31(a), 31(b), 31(c), or 31(d)). | |
| | The facts and matters stated above are true to the best of my/ our knowledge, information and belief. Dated this day of 20..... | |
| 5. To be signed by Applicant / Authorised Agent. Note: Affidavit, if any, shall be signed by the applicant. | Signature(s) To The Controller of Patents, The Patent Office, at | |
| Note: Select the options that are applicable.”. | | |

18. In the said rules, for THE FOURTH SCHEDULE, the following Schedule shall be substituted, namely,-

“THE FOURTH SCHEDULE
[See proviso to rule 136(1)]

| Number of Entry | Matter in respect of which cost to be awarded | Amount (in rupees) | |
|-----------------|---|--|--|
| | | Natural person(s) or Startup(s) or Small entit(y)/ (ies) or educational institution(s) | Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/ (ies) or educational institution(s) |
| 1. | For notice of opposition under sections 25, 57, 60, 63, 78, 87(2) or 88(4). | 2400 | 12000 |
| 2. | For application for compulsory licence under sections 84(1), 91(1) | 1500 | 6000 |

| | | | |
|-----|---|---|---|
| | or 92(1). | | |
| 3. | For application for revision of terms and conditions of licence under section 88(4) . | 2400 | 12000 |
| 4. | For notice of intention to attend the hearing under rule 62(2). | 1500 | 6000 |
| 5. | Stamp fee for power of attorney where a patent agent or other person has been appointed or stamp fee in respect of relevant affidavits. | The amount actually paid. | The amount actually paid. |
| 6. | For written statement under rule 57 or reply statement under rule 58 or for each affidavit, if relevant. | 4000 | 5000 |
| 7. | For each document of publication produced in the proceedings, if relevant. | 1600 | 2000 |
| 8. | For each unnecessary or irrelevant affidavit or citation. | 1600 | 2000 |
| 9. | For every day or part day of hearing before the Controller. | 4000 | 5000 |
| 10. | Sub-rule (2) of rule 136 | Aggregate of amounts actually paid in respect of entries 1, 2, 12, 27, 28, 29 of the First Schedule, as may be applicable | Twice the aggregate of amounts actually paid in respect of entries 1, 2, 12, 27, 28, 29 of the First Schedule, as may be applicable”. |

19. In the said rules, in the FIFTH SCHEDULE, for the headings,

| “Sl. No. | On what payable (Relevant provision of Patents Rules, 2003, if any) | Relevant Rule of regulations under the Treaty | For Natural Person | Other than natural person either alone or jointly with natural person”, |
|----------|---|---|--------------------|---|
|----------|---|---|--------------------|---|

the following headings shall be substituted, namely: -

| “S. No. | On what payable (Relevant provision of Patents Rules, 2003, if any) | Relevant Rule of regulations under the Treaty | Natural person(s) or Startup(s) or Small entit(y)/ (ies) or educational institution(s) | Other(s), alone or with natural person(s) or Startup(s) or Small entit(y)/ (ies) or educational institution(s)”. |
|---------|---|---|--|--|
|---------|---|---|--|--|

[F. No. P-24031/14/2023-IPR-III]

HIMANI PANDE Jt. Secy.

Note: The said rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii), *vide* number S.O. 493 (E) dated the 2nd May, 2003 and last amended, *vide* notification number G.S.R. 646 (E) dated the 21st September, 2021.