

Centre to speed up patent examination for start-ups, India first filers

OUR BUREAU

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The Centre is introducing a facility for speeding up the examination of patents for start-ups and for applicants who choose India as the competent authority for international searching or preliminary examination.

While the time-line for expedited examination of patents is yet to be notified, the government has also decided to bring down the time required for grant of patents for all applicants to two-and-a-half years from five-seven

years required at present.

"We are trying to bring down the total time required for grant of patents to two-and-half years, which includes 18 months for first examination report to be finalised and another year for the final grant of the patent which includes time taken by the applicant to make required changes in the application. But this is not part of the rules," said Rajiv Aggarwal, Joint Secretary, Department of Industrial Policy and Promotion (DIPP).

The introduction of expedited examination of patents

is part of the Patent Amendment Rules notified on Monday.

The facility will be applicable to all new applicants who meet the stated criteria on payment of stipulated fees, but those who have already applied through the regular route cannot seek a transfer to the expedited category.

Applicants wanting to apply through the expedited route have to either meet the criteria of a start-up or indicate India as the competent International Searching Au-

thority or elect it as an International Preliminary Examining Authority.

The new rules also set a limit of two adjournments for each party in a patent related hearing with the adjournments of a maximum duration of thirty days each.

"Right now there is no limit on the number of adjournments and its duration and a hearing could be stretched for days depending on the party involved. The new rules would put an end to this by setting limits," Aggarwal said.