

Patent office to start backlog clearance drive of 3749 pending cases soon

Friday, December 17, 2010 08:00 IST

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The Indian patents office has initiated a clearance drive to dispose the backlog of the 3749 applications pending with it on or before July 3, 2009. The backlog clearance drive, starting from December 2010 to March 2011 aims at disposing of all these patent applications in a time bound manner for which necessary office direction has been issued.

The information on the 3749 pending cases was received by the patent office after it had informed the patent practitioners and applicants in July to notify the patent office about the pending patent applications. These are applications on which First Examination Reports (FERs) have been generated on or before July 3, 2009 and to which corresponding responses have also been filed, but were still pending for disposal. The notification of such pending cases was to be sent to the technical heads in Mumbai, Chennai, Kolkata and Delhi.

According to P H Kurian, controller general, Patents, Designs and Trade Marks, "In the last two years, this is the first time that we initiated such a drive to clear the backlog effectively and quickly."

Following the public notice, the patent office has received information for 3749 cases which were pending for disposal and of these over 2000 cases are from Delhi. The patent office is of the view that that all applicants or patent practitioners have not responded to the public notice yet. They have been again urged to send the list of such pending cases to the respective technical heads before December 20.

"For all 37449 applications that we had received till now, our office has already initiated action to hear these cases. If required hearing will be fixed collectively for the cases belonging to the same applicant or agent. Our officials will work extra time, including holidays to clear this backlog, such is our commitment," Kurian said.

It was expected earlier that backlog clearance of the pending cases would be done after the allotment of new staff. However, an official from the patent office informed that whatever work is there shall be done by the present staff of 150 patent officers.

Early this year the government has decided to recruit another 257 patent examiners to expedite the process of patent scrutiny and its disposal. It is expected that all these new 257 officers after undergoing training in the National Institute of Intellectual Property Management (NIIPM), Nagpur will be ready to work by April or May 2011. This may help in reducing the huge burden of pending patent applications. However, the patent office refused to comment on any further developments on the same.

At present, there are only 150 patent examiners to examine the patent applications and various other processes as against about 70,000 patent applications that are in the pipeline for process and examination in the country. The dwindling number of patent examiners has affected the working of the patent office and has resulted in the piling up of applications.