

INDIA

PATENT FILING REQUIREMENTS

(PRIORITY AND NON-PRIORITY APPLICATION)

1 Applicant's particulars

- 1.1 Individual
 - Name
 - Citizenship
 - Address
- 1.2 Corporate Entity
 - Name
 - Type of entity, state whether private limited, public listed or others
 - Registered address
 - Country of incorporation
 - State of incorporation, where applicant is a US Corporation
- 1.3 Applicant who is not the inventor, provide how right to patent derived from inventor

2 Inventor's particulars

- 2.1 Name
- 2.2 Citizenship
- 2.3 Address
- 2.4 Country of permanent residence
- 2.5 Confirm if resident in India during period of invention

3 Specification

- 3.1 Invention particulars
 - Description
 - Claims
 - Abstract
 - Drawings, to be printed on A-4 size white sheets, one set of which is to be printed on thick white drawing sheets, with name of applicant on top left hand corner and on the top right hand corner, the page number and total number of sheets. All figures must be in an upright position.
- 3.2 Prior disclosures, provide details
- 3.3 Invention relating to biological material
 - Name of International Depositing Authority
 - Date the biological material was deposited
 - Accession number for the deposit
 - Copy of the receipt issued by the IDA in accordance with Rule 7 of the Regulations under the Budapest Treaty
- 3.4 Corresponding applications in other countries, provide details
- 3.5 Language of filing: English

4 Where Priority is claimed

- 4.1 Certified True Copy of Priority application, if not in English, provide Verified English translation
- 4.2 Priority particulars
 - Date
 - Application number
 - Country of filing

5 Forms

- 5.1 Authorisation of a Patent Agent - Form 26¹
- 5.2 Deed of Assignment²

¹ Form 26 must be submitted within 6 months of date of filing of application.

² Deed of Assignment must be submitted within 6 months of date of filing of application.

INDIA

PATENT FILING REQUIREMENTS

(PCT NATIONAL PHASE)

1 Applicant's particulars

- 1.1 Individual
 - Name
 - Citizenship
 - Address
- 1.2 Corporate Entity
 - Name
 - Type of entity, state whether private limited, public listed or others
 - Registered address
 - Country of incorporation
 - State of incorporation, where applicant is a US Corporation
- 1.3 Applicant who is not the inventor, provide how right to patent derived from inventor

2 Inventor's particulars

- 2.1 Name
- 2.2 Citizenship
- 2.3 Address
- 2.4 Country of permanent residence
- 2.5 Confirm if resident in India during period of invention

3 International Phase Particulars

- 3.1 Verified English translation of International application, if International application not published in English
- 3.2 Copy of any amendments filed during International Phase
- 3.3 Verified English translation of any amendments filed during International Phase, if International application not published in English
- 3.4 Copy of PCT publication
- 3.5 Copy of International Preliminary Examination Report - PCT/IPER/409
- 3.6 Copy of Notification of the Recording of a Change - PCT/IB/306
- 3.7 Copy of Notification Concerning Submission or Transmittal of Priority Document – PCT/IB/304
- 3.8 Invention relating to biological material
 - Name of International Depositing Authority
 - Date the biological material was deposited
 - Accession number for the deposit
 - Copy of the receipt issued by the IDA in accordance with Rule 7 of the Regulations under the Budapest Treaty
- 3.9 Language of filing: English

4 Priority application particulars

- 4.1 Verified English translation of Priority application, if priority application not in English
- 4.2 Priority particulars
 - Date
 - Application number
 - Country of filing

5 National Phase deadlines

- 5.1 Chapter I, 31 months from date of priority application
- 5.2 Chapter II, 31 months from date of priority application

6 Date of Accession

- 6.1 Date of Accession of India to the Patent Cooperation Treaty, 7 December 1998

7 Forms

- 7.1 Authorisation of a Power of Attorney – Form 26¹
- 7.2 Copy of Deed of Assignment²

¹ Form 26 must be submitted within 6 months of date of filing of application.

² Copy of Deed of Assignment must be submitted within 6 months of date of filing of application.