

## Workshop on Intellectual Property Rights

*December 18, 2020; 10 am to 1 pm*

*Conducted by*

*Narayana Translational Research Centre (NTRC)*

### Speaker



**Dr. P. Karthigeyan, M. Tech , Ph.D. (Intellectual Property rights) , PGDIPR, DICFS (Cyber Security) , PGDEP (Entrepreneurship), PGDCFS (Criminology & forensic Science ) IPR Manager, MSME-TC, Ministry of MSME, Government of India. Former Research scientist, I.I.T Madras, GI Advocate/ Agent, GI Registry, Govt. of India**

### Patron



**Dr. Surya Prakasa Rao, MD  
Professor and Dean,  
Narayana Medical College.**

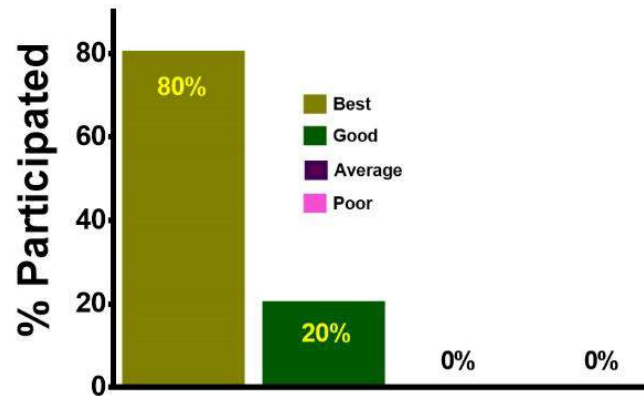
### Convenor



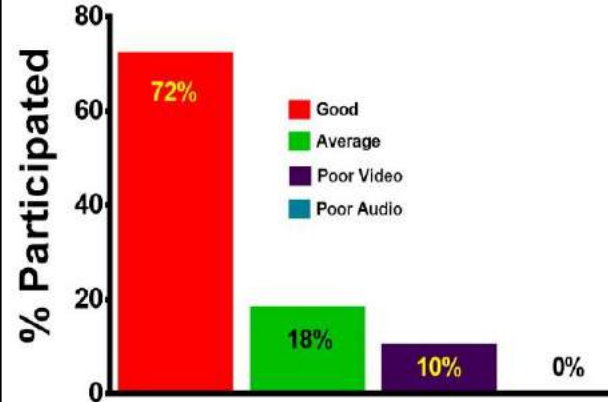
**Dr. Sivakumar Vijayaraghavalu, Ph.D.  
Professor and Head, NTRC**

# Workshop – Participants Poll (n=245)

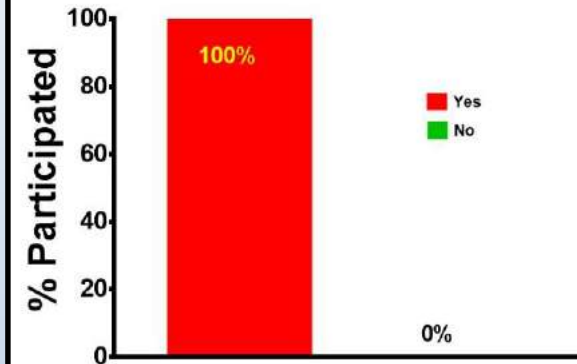
## Workshop Content



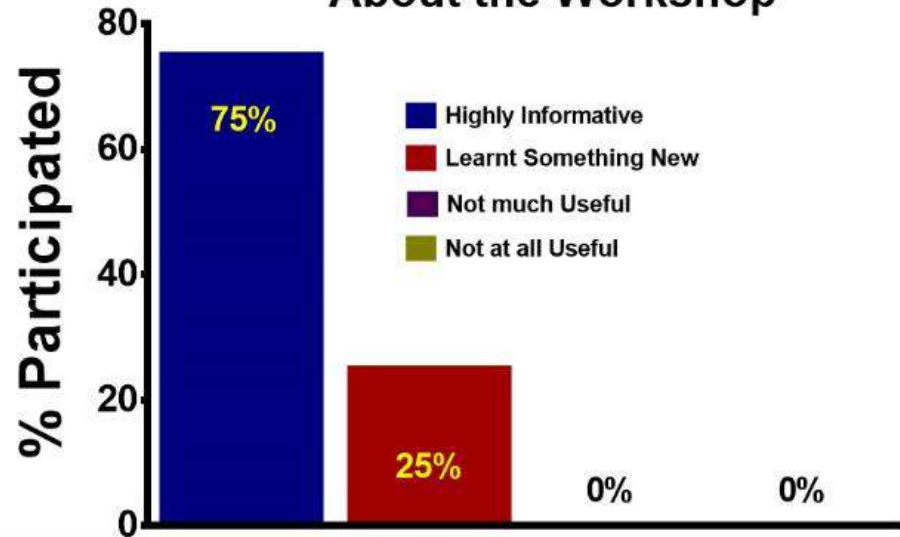
## Audio - Video Quality



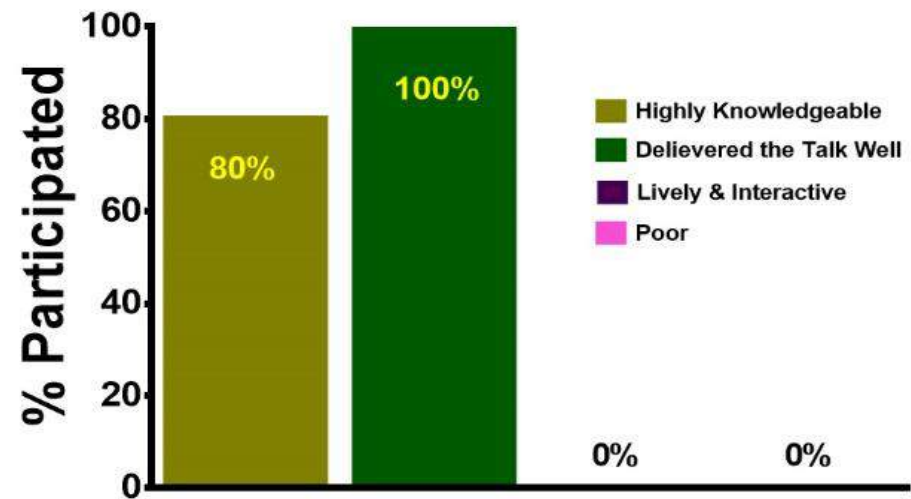
## Would you attend similar workshops in the future



## About the Workshop



## About the Speaker



**Registrants Profile** - Total 245 registrants from India (92%) and other countries (8%) – which includes USA, UK, Saudi Arabia, Bahrain and Japan. Indian registrants were from across the country with higher percentage from Andhra Pradesh (70%), followed by Tamil Nadu (15%); rest of the 15% are from the following states – Telangana, Orissa, Sikkim, Karnataka, Pondicherry, Uttar Pradesh and Kerala.

The webinar started with a welcome greetings from the Convenor to the guest speaker – Dr. P. Karthigeyan and all the participants. As well he thanked the Dean, Dr. SP Rao for being master mind behind this webinar series and for his constant encouragement. Then, he introduced the speaker to the audience as follows – today speaker's educational background is unique with M.Tech degree in engineering and a Ph.D. in Intellectual Property Rights (IPR). He has PG diplomas in IPR, cyber security, entrepreneurship, criminology and forensic sciences. He is currently working as an IPR manager in MSME technology center, Ministry of MSME, Odisha, Government of India. Previously he was a research scientist in Intellectual Property Management (IPM) division of Indian Institute of Technology Madras (IIT-M), Chennai, India. He is also a Geographical Indication (GI) advocate (Agent No. 57), Govt. of India and an expert panel reviewer for BIG- BIRAC grants, Govt. of India. Additionally, director for a IP services company. He is well accomplished IPR lawyer and scientist with more than 50 journal publications, patents, designs, GI's, copy rights, trademarks, conferences and proceedings, as well 3 projects on National Security published in Times of India.

Some of his success stories as consulting IP lawyer includes – facilitation of **Rs. 72 crores** for startup applicant “*Tzar Aerospace Pvt Ltd*” by performing IP due Diligence & Competitive Intelligence analytics (Market potential evaluation) and FTO analytics of the applicant innovations. Similarly, he helped an orthodontic surgeon to obtain 50 lakhs as research grant from *BIRAC – DBT* and a start up to receive **National Award** for his Innovation - “an automatic wheel chair for the patients suffering from cerebral palsy”. As a consultant Dr. Karthigeyan generated the revenue of Rs. 14 lakhs in 3 years at CTTC – MSME technology centre, Ministry of MSME, Odisha, Government of India. He filed Geographical Indication ( App. No. 610; certificate # 344) for a potent turmeric variety – Kandhamal turmeric grown in Odisha. With this given educational and work experience, he will be the appropriate speaker for this chosen topic. On behalf of our honorable dean and Narayana Medical College, the convener requested the speaker to take over the session.

The speaker thanked the convenor, dean and the institution for giving him an opportunity, he also thanked and welcomed the participants who are much interested in learning about the IPR. Then he started his presentation, screen shots of the slides from his presentation is mentioned in the following pages.

# AWARENESS ON INTELLECTUAL PROPERTY RIGHTS



**Presented by**

**Dr. P. Karthigeyan Ph.D (IPR), DIPFCS, PGDIPR, PGDEP, PGDCRFS**

**IPR Manager, MSME- TC, Ministry of MSME, Govt of India**

**Former Research Scientist, I.I.T Madras**

**Exper panel reviewer, BIG-BIRAC, Govt of India**

**GI Advocate no:57, GI Registry, Govt of India**

**Visiting Faculty, IPR & cyber crime, Tamil Nadu Police Dept,**

**Govt of Tamil Nadu**

**Ph: +91-8917645142 Whatsapp : +91-9003522986**



# IP Evolution

**Property → Right**

**INTELLECT – PROPERTY – RIGHT**

**Idea → Expression → COPYRIGHT**

**Idea → Innovation → Invention → PATENT**

**Idea → Quality + Identity → TRADEMARK**

**Idea → Appearance → DESIGN**

**Idea → Keep Confidential  
No Disclosure } → TRADE SECRETS**

# IP EVOLUTION

## CELL PHONE



**Working Mechanism** - PATENT/Trade Secret

**Name** - TRADE MARK

**Manual** - COPY RIGHT

**Shape** - DESIGN

**Inside Circuits**- Integrated Circuit Layout Design

**Sim card** - Integrated Circuit Layout Design



# Intellectual Property

## Copyright

(Embedded software)

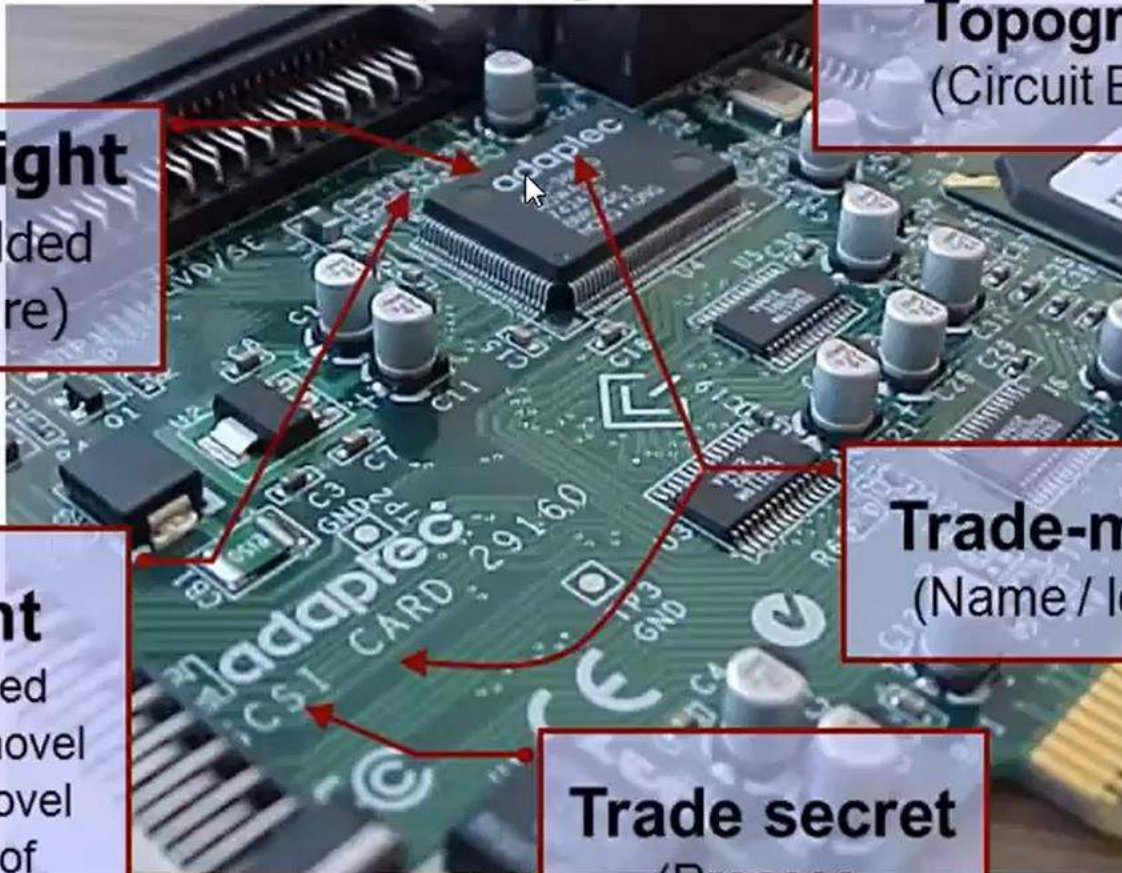
## Patent

(embedded software, novel system, novel method of manufacture)

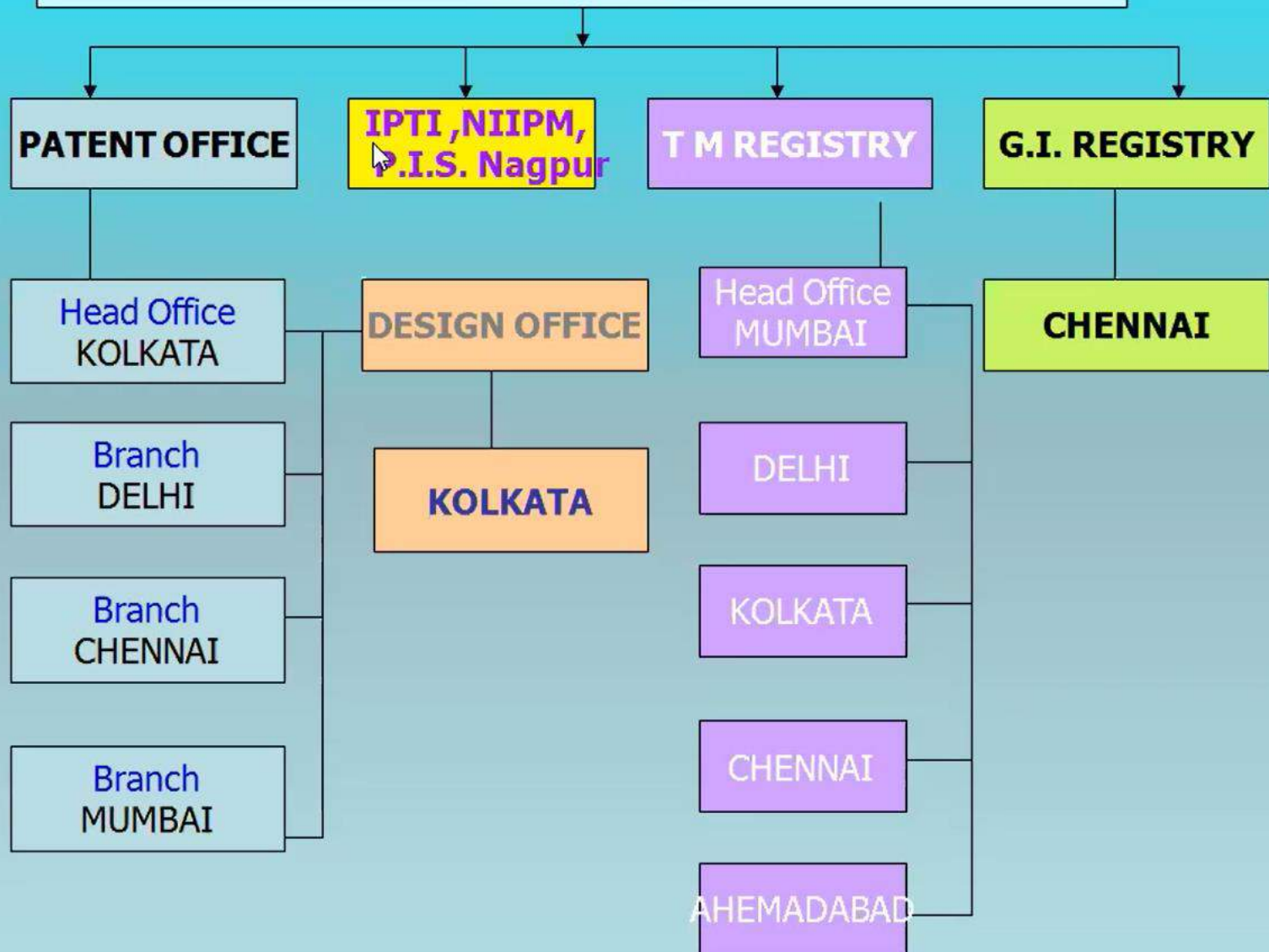
**Integrated Circuit Topography**  
(Circuit Board)

**Trade-mark**  
(Name / logo)

**Trade secret**  
(Process, customer list)



**CONTROLLER GENERAL OF PATENTS, DESIGNS  
AND TRADEMARKS  
(CGPDTM)**



# Types of IPR

## Types of IPRs

Intellectual Property



Industrial Property

Copyrights and related rights

Industrial  
Designs

Patents

Trademarks

Service marks

Trade Secrets

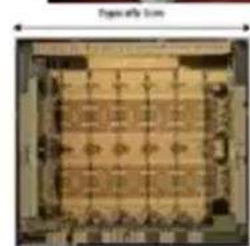
Geographical  
Indications

Layout Designs of  
Semi Conductor ICs

Plant varieties &  
Farmer's rights



*Coca-Cola*





# The Object Of The Patent Law

- A statutory **right** to owner of the patent **for a certain period of time (20 Years)** to stop others from using, selling or working out his invention, and exploit it commercially
- To **disclose the invention by** encouraging scientific research and new technology,
- To **stimulate** new inventions of commercial utility and
- To pass invention into **public domain after the expiry** of the fixed period of the monopoly.

# What can be patented?

Innovative

- Technology
- Process
- Product
- Mechanism
- Utility
- Business Method



# Conditions Of Patentability

## Invention must

- ❖ **Be new (Novel)**

Invention **not known to public prior to filing** the patent application by inventor.

- ❖ **Involves an inventive step**

Invention would **not be obvious** to a person with ordinary skill in the art

- ❖ **Be Capable of industrial application**

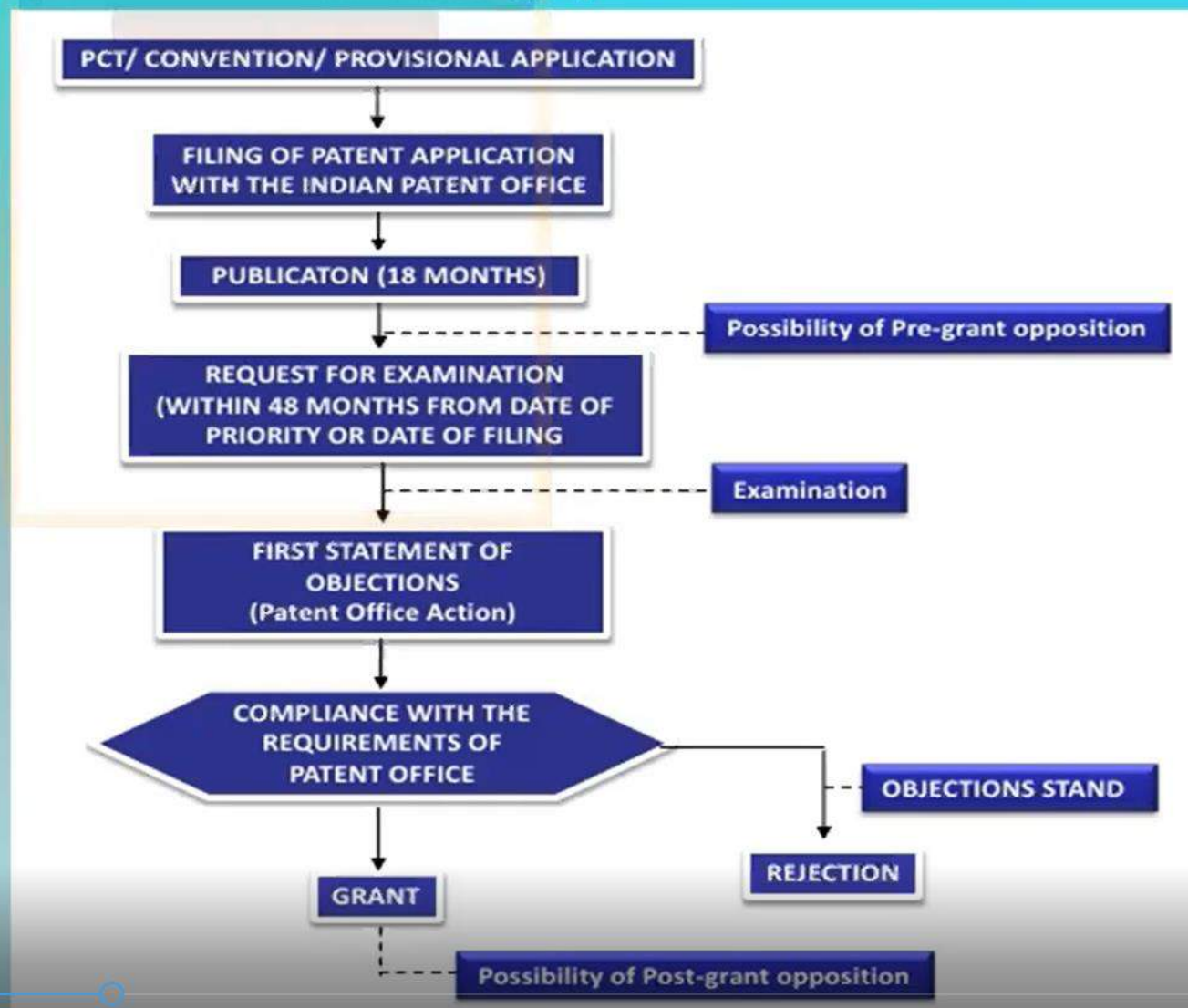
Invention can be **made or used in any useful, practical activity** i.e. Invention is capable of being made or used in any kind of industry

- ❖ **Not fall under Section 3 and 4**

# TYPES OF PATENT FILING

- **PROVISIONAL FILING-** INVENTION IN CONCEPTUAL STAGE-12 MONTHS VALIDITY
- **COMPLETE POST PROVISIONAL-** PROTOTYPE DEVELOPED WITH RESULT INTERPRETATION WITHIN 12 MONTHS
- **DIRECT COMPLETE FILING-** PROTOTYPE DEVELOPED WITH RESULT INTERPRETATION
- **PCT FILING-**INTERNATIONAL FILING

# Filing procedure

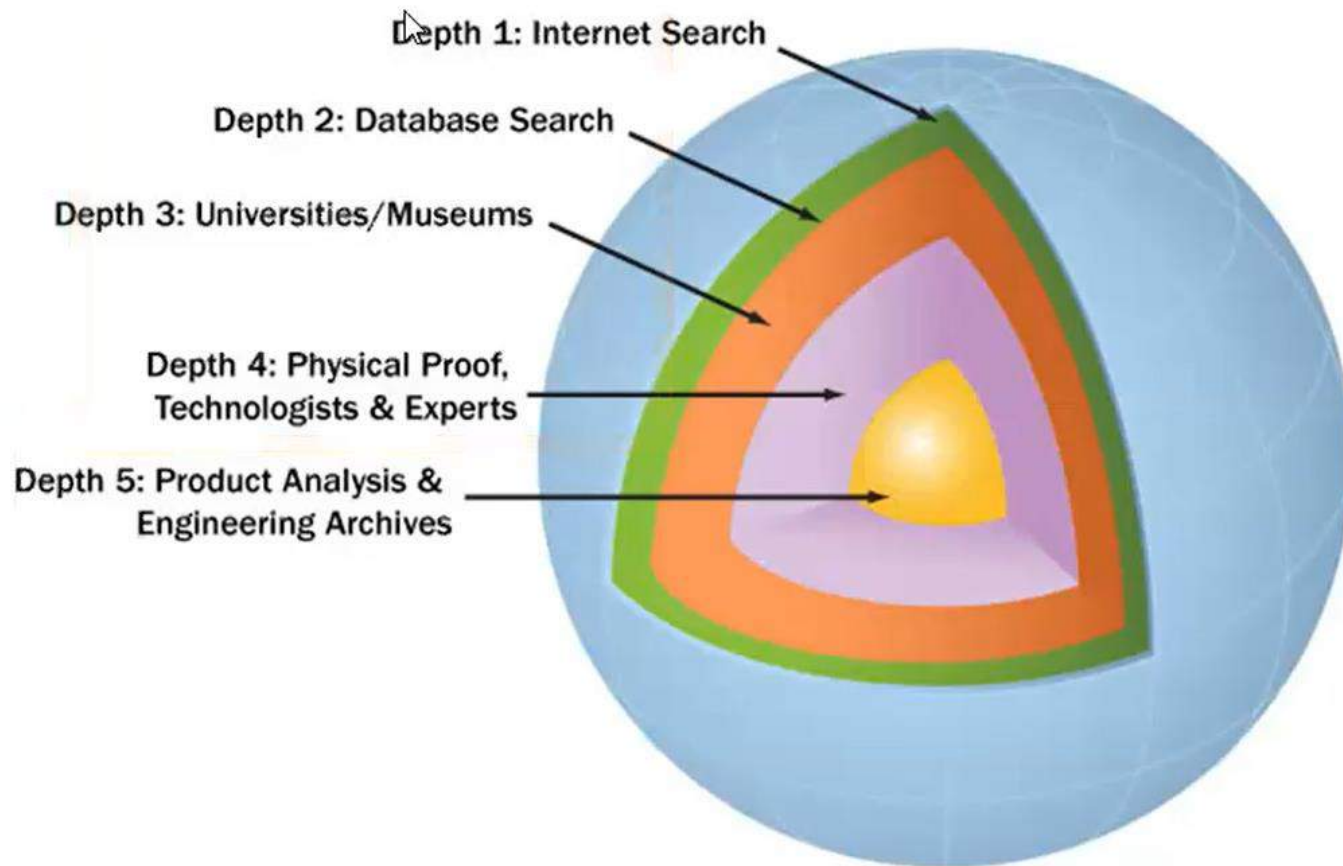




# Sample patent filing forms and Fees

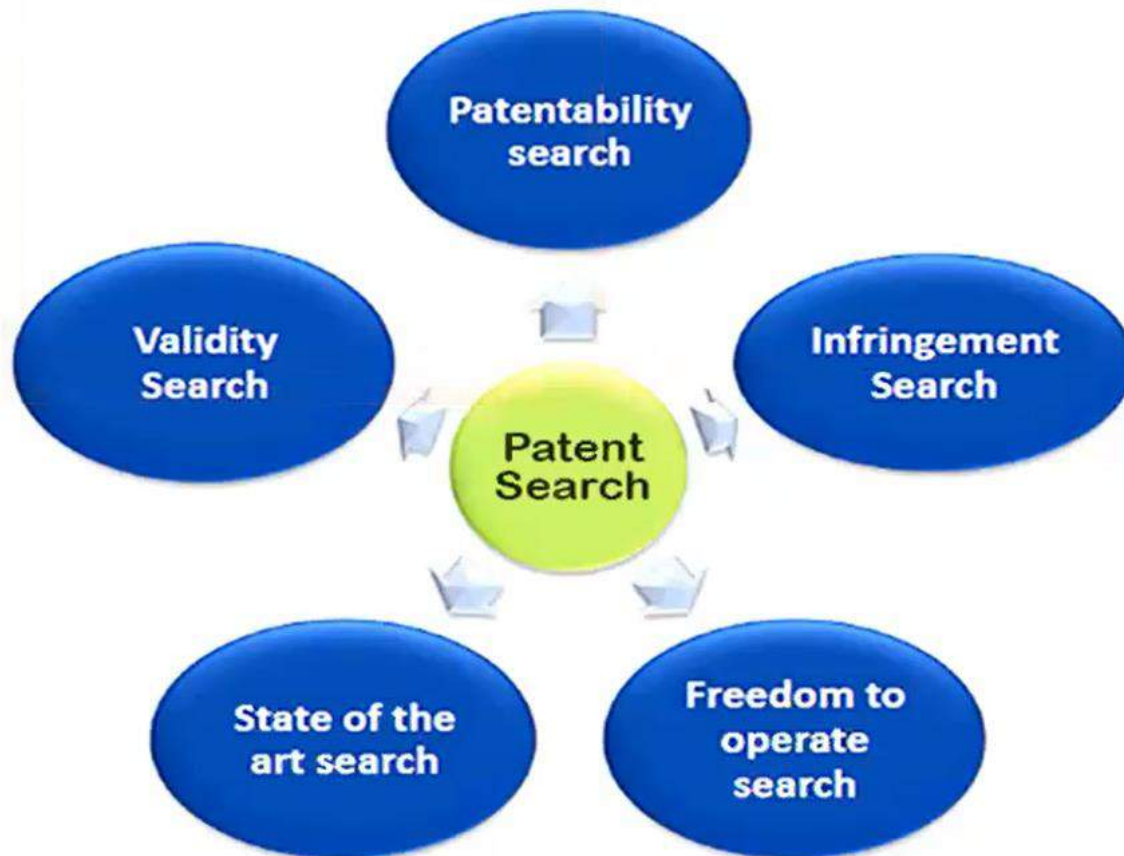
Form No.	Form Description	Amount of fees (INR)					
		For E-Filing			For Physical Filing		
		Natural Person	Other than natural person		Natural Person	Other than natural person	
			Small entity	Other than Small Entity		Small entity	Other than Small Entity
1	Application for Grant of Patent	1600 - Multiple of 1600 in case of every multiple priority  - 160 (each sheet of Specification in addition to 30)  - 320 (for each claim in addition to 10)	4000 - Multiple of 4000 in case of every multiple priority  - 400 (each sheet of Specification in addition to 30)  - 800 (for each claim in addition to 10)	8000 - Multiple of 8000 in case of every multiple priority  - 800 (each sheet of Specification in addition to 30)  - 1600 (for each claim in addition to 10)	1760 - Multiple of 1760 in case of every multiple priority  - 176 (each sheet of Specification in addition to 30)  - 352 (for each claim in addition to 10)	4400 - Multiple of 4000 in case of every multiple priority  - 440 (each sheet of Specification in addition to 30)  - 880 (for each claim in addition to 10)	8800 - Multiple of 4000 in case of every multiple priority  - 880 (each sheet of Specification in addition to 30)  - 1760 (for each claim in addition to 10)
2	Application for Provisional/Complete Specification	No fee  - 160 (each sheet of Specification in addition to 30)  - 320 (for each claim in addition to 10)	No fee  - 400 (each sheet of Specification in addition to 30)  - 800 (for each claim in addition to 10)	No fee  - 800 (each sheet of Specification in addition to 30)  - 1600 (for each claim in addition to 10)	No fee  - 176 (each sheet of Specification in addition to 30)  - 352 (for each claim in addition to 10)	No fee  - 440 (each sheet of Specification in addition to 30)  - 880 (for each claim in addition to 10)	No fee  - 880 (each sheet of Specification in addition to 30)  - 1760 (for each claim in addition to 10)
3	Application for Statement and Undertaking Under Section 8	No fee	No fee	No fee	No fee	No fee	No fee
4	Application for Request for Extension of Time	480 per month	1200 per month	2400 per month	528 per month	1320 per month	2640 per month
5	Application for Declaration as to Inventorship	No fee	No fee	No fee	No fee	No fee	No fee
6	Application for Claim or Request Regarding any Change in Applicant for Patent	800	2000	4000	880	2200	4400

# The Many Layers of a Patent Search





# TYPES OF PATENT SEARCH



# Sample Patent databases

Name	Link
WIPO	<a href="http://www.wipo.int/portal/en/index.html">http://www.wipo.int/portal/en/index.html</a>
USPTO	<a href="http://www.uspto.gov/">http://www.uspto.gov/</a>
Espacenet	<a href="http://worldwide.espacenet.com/">http://worldwide.espacenet.com/</a>
SIPO	<a href="http://english.sipo.gov.cn/">http://english.sipo.gov.cn/</a>
Inpass	<a href="http://ipindiaservices.gov.in/publicsearch/">http://ipindiaservices.gov.in/publicsearch/</a>
EPO	<a href="https://www.epo.org/index.html">https://www.epo.org/index.html</a>
JPO	<a href="https://www.jpo.go.jp/">https://www.jpo.go.jp/</a>
AusPat	<a href="http://pericles.ipaustralia.gov.au/ols/auspat/quickSearch.do">http://pericles.ipaustralia.gov.au/ols/auspat/quickSearch.do</a>
OECD	<a href="http://www.oecd.org/">http://www.oecd.org/</a>
KIPRIS	<a href="http://www.kipris.or.kr/enghome/main.jsp">http://www.kipris.or.kr/enghome/main.jsp</a>

# What Is Patent Infringement?

- ◆ Patent infringement is the commission of a prohibited act with respect to a patented invention without permission from the patent holder.
- ◆ It occurs when someone violates the patent rights an inventor has in his invention by making, using or selling the invention without the patent owner's permission (or if the patent has been licensed), in a way not permitted by the license.

# Sample Licensed Patent databases

Name	Link
Questel Orbit	<a href="https://www.orbit.com"><u>https://www.orbit.com</u></a>
Lexis Nexis	<a href="http://www.lexisnexis.co.in"><u>www.lexisnexis.co.in</u></a>
Thomsons Innovation	<a href="https://www.thomsoninnovation.com/"><u>https://www.thomsoninnovation.com/</u></a>
Relecura	<a href="https://www.relecura.com/"><u>https://www.relecura.com/</u></a>
Patbase	<a href="https://www.patbase.com/"><u>https://www.patbase.com/</u></a>
Patseer	<a href="https://www.patseer.com"><u>https://www.patseer.com</u></a>



## Case Law1: Novartis vs Glivec-Section 3 (d)

### OVERVIEW OF NOVARTIS CASE

Novartis AG v. UOI decided on 1<sup>st</sup> April 2013

#### Facts of the case

Novartis is the world's leading pharmaceutical company filed patent application for its new version of cancer drug.

The drug is called glivec and is very expensive. Glivec was already in the market, however they decided to seek a patent on a slightly altered version potentially giving it longer period of market exclusivity.



# Apple \$290 million patent infringement case with Samsung

Samsung Smartphones  
**BEFORE** iPhone



Apple's iPhone  
(announced Jan. 2007)



Samsung Smartphones  
**AFTER** iPhone



A graphic showing how Samsung smartphones and tablets changed after the release of Apple's iPhone and iPad





# Youngest Patent-holder on wheelchair



- ❖ JAIPUR: Drawing inspiration from scientist Stephen Hawking, a wheelchair-bound nine-year-old boy here has invented a game of six-player circular chess. The boy, **Hridayeshwar Singh Bhati** has got the game's design patented in his name.



## Inspirations-Youngest Patent Holder (2013) -Adithya(15 yr old school student) from VirudhuNagar



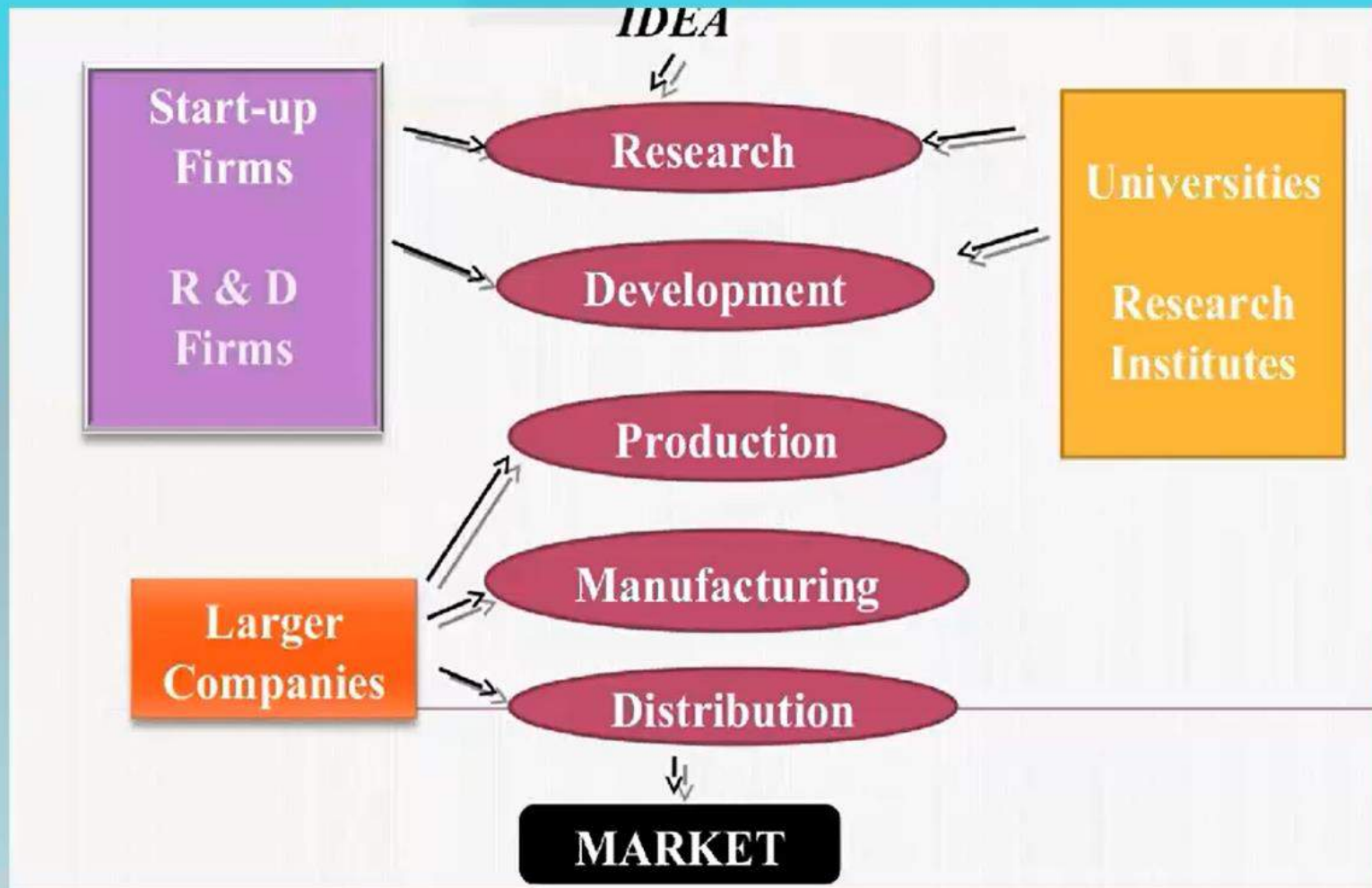
15 year-old student who already has 17 inventions under his name that have bagged him many awards and two Guinness World Record attempts.

For his contributions at such a young age, Adithyaa has received global recognition including 2 world record attempts, 2 National Awards, 7 Titled Awards, 5 State Awards and many District Awards. He is also a winner of the [IGNITE Awards](#) conducted by [National Innovation Foundation-India](#).

*In addition to this, Adithyaa has been selected for the inaugural "Innovator in Residence" program of the President office launched by the Honorable President of India, Shri Pranab Mukherjee on his birthday on December 11, 2013. He was staying at Rashtrapati Bhavan from July 1 to July 20, 2014 and is being mentored by the office of the President House!*

*"I am an outstanding student of the class as I am always standing out. I sleep so late that I am unable to reach classes on time and as a result I have to stand outside!" he laughs.*

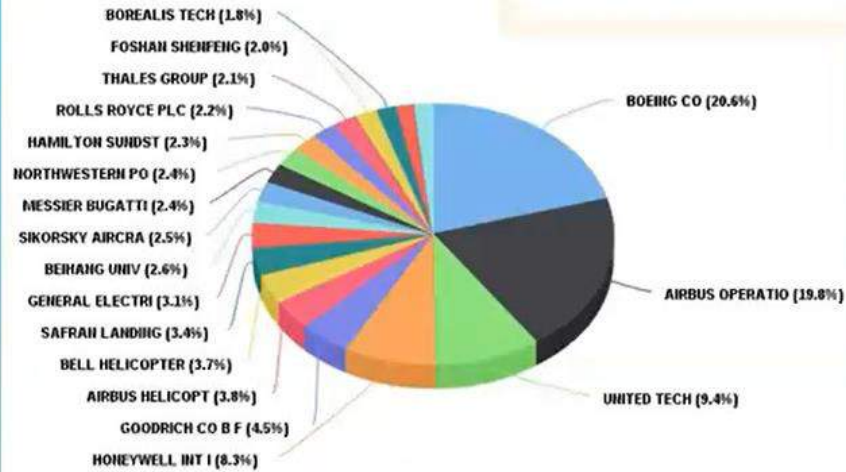
# Tech transfer flow



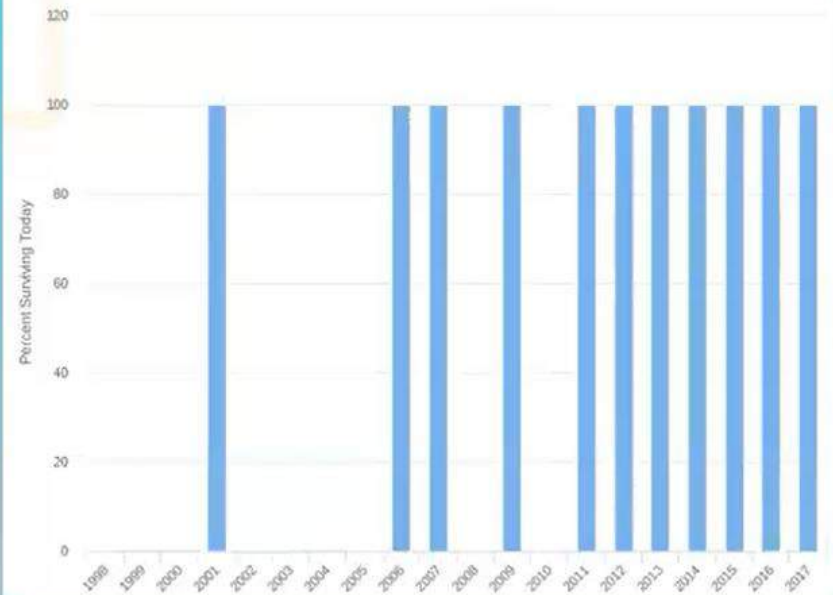


# Sample competitive intelligence and technology

Top Patent Assignees



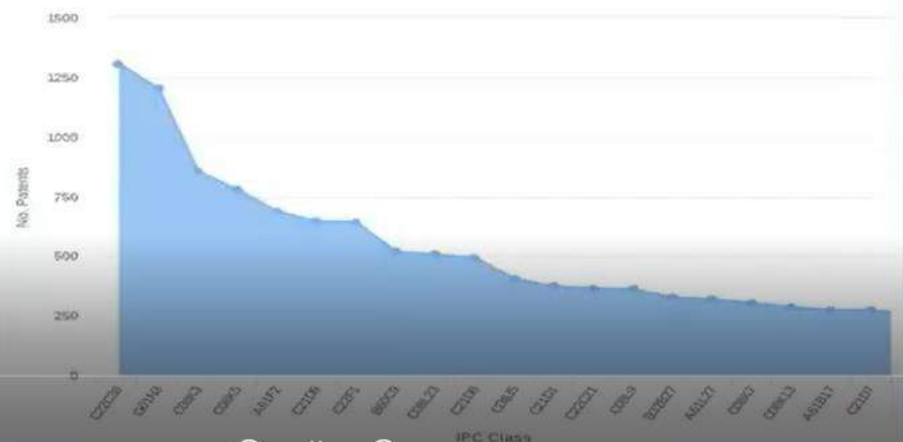
Patent Survivorship Rate by Year



Top Patenting Countries of Issuance



Chart By IPC Class



# TRADEMARKS

## TRADE MARK

***A name of an enterprise or a Mark*** capable of being represented ***graphically, distinguishing the goods or services*** of one person from those of others e. g., **LUX, Godrej, TVS, Telco, 555, APPLE**

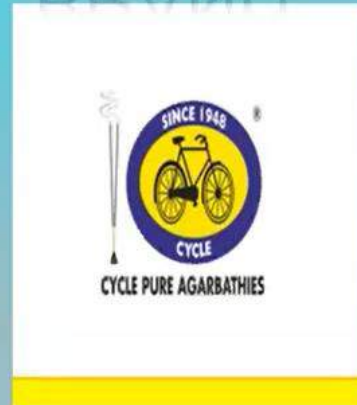
LETTER



SYMBOL



BRAND

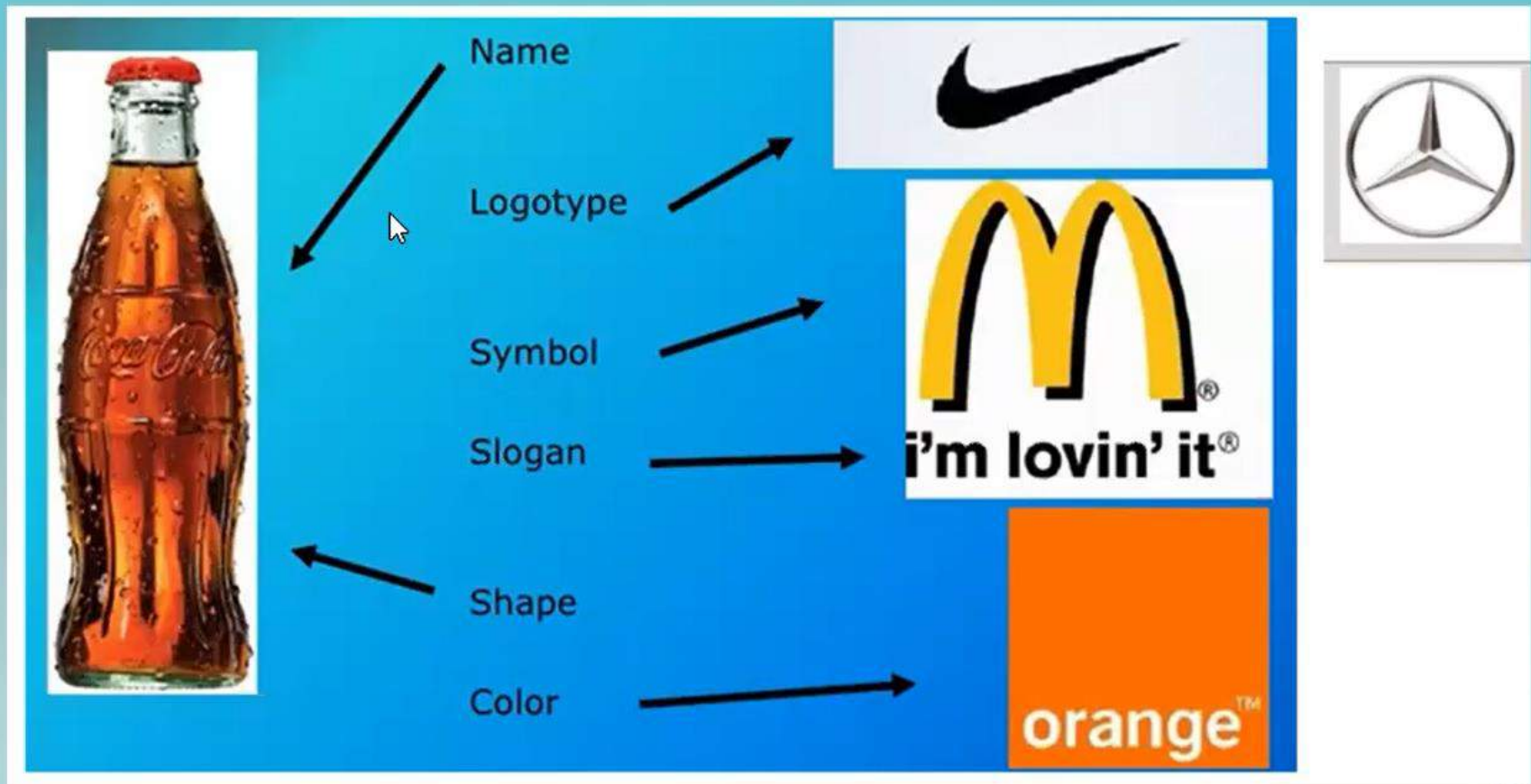


LABEL




# Kinds of Trademarks

- Marks on goods
- Service Marks
- Certification Mark
- Collective Marks
- Well known marks
- Trade Names

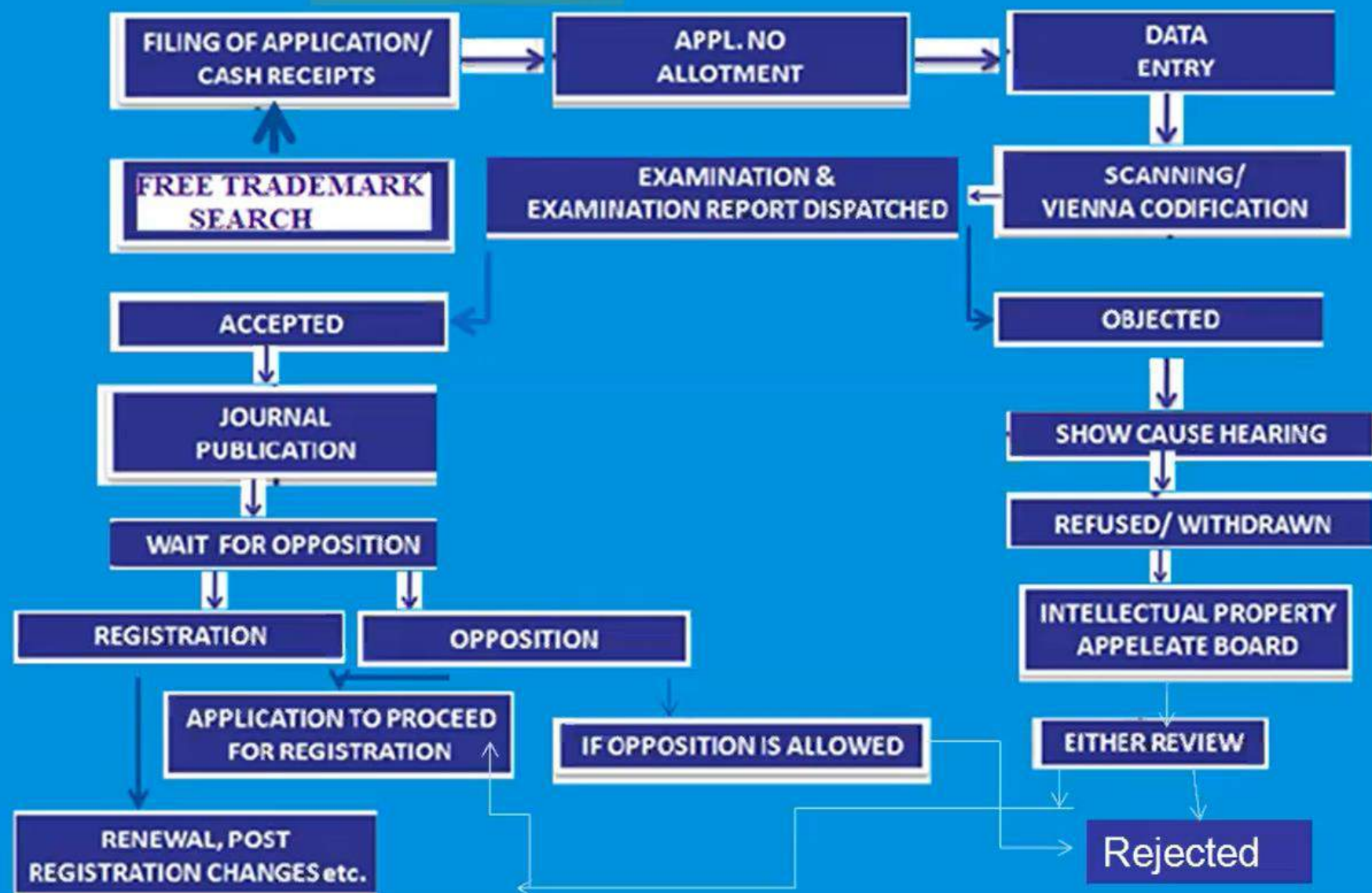




## A trademark may be designated by the following symbols:

-  (for an **Unregistered Trademark**, that is, a mark used to promote or brand goods)
- **SM** (for an unregistered **Service mark**, that is, a mark used to promote or brand services)
-  (for a registered trademark)

# Trademark Procedure Flowchart in India



## Activity

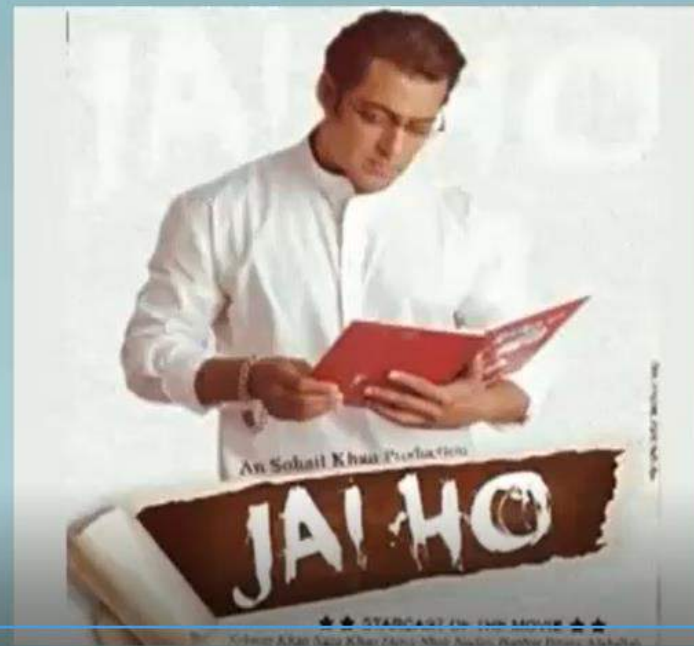
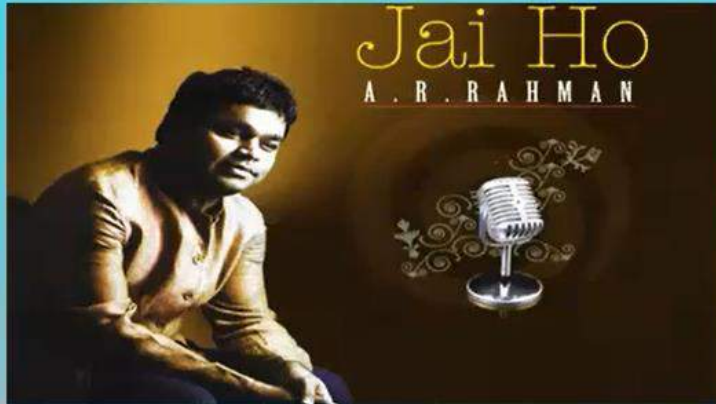
## Official Fees

Filing TM/service mark	5000
Opposition	2500
Reponses to opposition	1000
Request for attending hearing	500
Renewal (within 6m)	5000+3000
Restoration of Trademark (6m to 12m)	5000 + renewal fees
Cancellation of TM	3000
Counter to Cancellation of TM	1000
Accelerated Exam	20000
Certification/collective Mark	20000



# “Jai Ho” Trademark Infringement case 2013: AR Rahman song “Jai Ho” Vs Salman Khan movie “Jai Ho”

## USPTO FILING DETAILS



Word mark:	JAI HO!
Status/ Status Date:	CONTINUED USE NOT FILED WITHIN GRACE PERIOD, UN-REVIEWABLE 8/11/2017
Serial Number:	77733388
Filing Date:	<a href="#">5/11/2009</a>
Registration Number:	3898470
Registration Date:	1/4/2011
Goods and Services:	Pre-recorded sound storage media, image storage media and data storage media, in the nature of digital versatile discs, compact discs, videotapes and audio tapes featuring music and films in the fields of drama, comedy and variety; pre-recorded sound storage media, image storage media and data storage media, in the nature of digital versatile discs, compact discs, all for interactive use, featuring music and films in the fields of drama, comedy and variety; exposed cinematographic films
Mark Description:	NOT AVAILABLE
Type Of Mark:	Service Mark
Published For Opposition Date:	9/28/2010
Last Applicant/Owner:	<a href="#">Rahman, AllahRakka</a> London SE10EB Why is this contact information displayed?
Mark Drawing Code:	Standard Character Mark
Design Search:	(NO DATA)
Register Type:	Principal
Disclaimer:	(NOT AVAILABLE)
Correspondent:	<a href="#">GRAHAM FARRINGTON</a> LADAS & PARRY LLP 224 S MICHIGAN AVE STE 1600 CHICAGO, IL 60604-2508



# “Jai Ho” Trademark Infringement case 2013:

“Jai Ho” vs Salman Khan  
“Mersal (shocked)” tamil movie vs “Mersalaitan”(shocked) –  
Latest trademark infringement case June 2017

10/16/2017

<https://ipindiaonline.gov.in/tm/publicsearch/tmsearch.aspx?tr=67206259&st=Wordmark>



Government of India  
Ministry of Commerce & Industry  
Department of Industrial Policy & Promotion  
Controller General of Patents Design & Trade Marks  
Public Search of Trade Marks



[Class Details](#) | [Well Known Marks](#) | [Prohibited Marks](#) | [Vienna Code Classification](#) | [International Non-Proprietary Names\(INN\)](#) | [Help](#)

## COMPUTER GENERATED TM-SEARCH REPORT

Search Criteria : Wordmark Search String : Mersal Class : 41 Search Date : 16-Oct-2017

APPL NO	CLASS	CONFLICTING MARK	JOURNAL No	PROPRIETOR NAME	PROPRIETOR ADDRESS	STATUS	Image
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3581884 41 Mersal 1809 N.RAMASAMY

NO.2/8, 80 FEET ROAD,  
DEAVER GARDEN,  
SALIGRAMAM, CHENNAI. 600 095, TAMIL NADU, INDIA

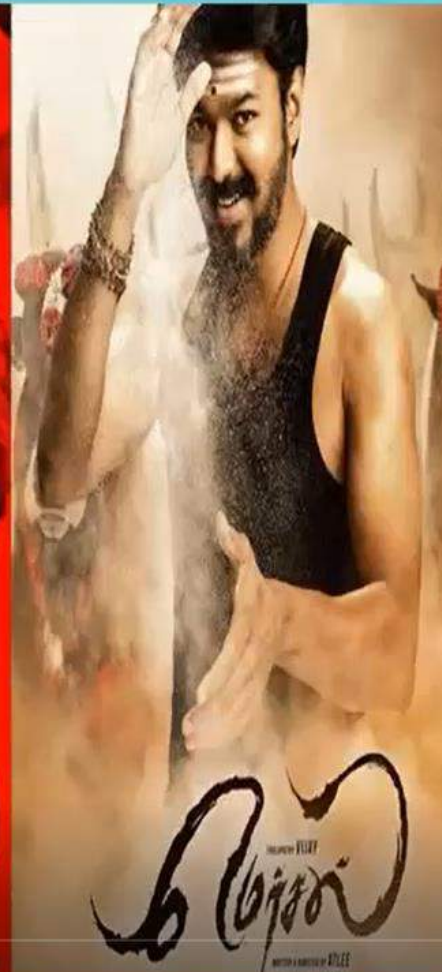


USER DATE :

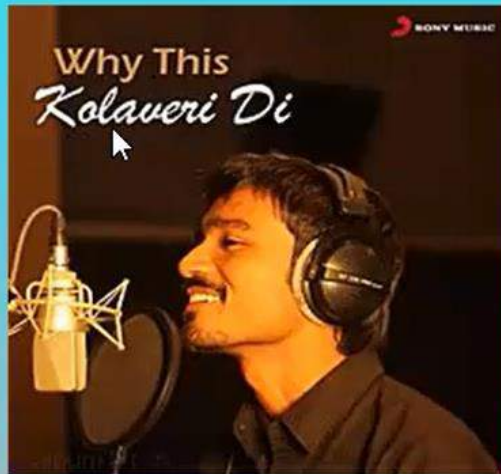
APPLICATION DATE : 30/06/2017

GOODS SERVICES : ENTERTAINMENT

Vienna Code(s) : 281900, 290112



# TM objections



Government of India  
Ministry of Commerce & Industry  
Department of Industrial Policy & Promotion  
Controller General of Patents Design & Trade Marks  
Public Search of Trade Marks

Class Details | Well Known Marks | Prohibited Marks | Vienna Code Classification | International Non-Proprietary Names (INN) | Help

**COMPUTER GENERATED TM-SEARCH REPORT**

Search Criteria: Wordmark | Search String: kolaveri | Class: 41 | Search Date: 11-Nov-2017

APPL NO	CLASS	CONFLICTING MARK	JOURNAL No	PROPRIETOR NAME	PROPRIETOR ADDRESS	STATUS	Image
2251091	41	KOLAVERI	1786	WUNDERBAR FILMS PRIVATE LIMITED	1-6 APPAVOO APARTMENTS, 1ST FLOOR, 2ND STREET, VENUS COLONY, ALWARPET, CHENNAI-600 013.	Registered	

APPLICATION DATE : 16/12/2011  
GOODS/SERVICES : EDUCATION; PROVIDING OF TRAINING; ENTERTAINMENT; SPORTING AND CULTURAL ACTIVITIES.

USER DATE :

Government of India  
Ministry of Commerce & Industry  
Department of Industrial Policy & Promotion  
Controller General of Patents Design & Trade Marks  
Public Search of Trade Marks

Class Details | Well Known Marks | Prohibited Marks | Vienna Code Classification | International Non-Proprietary Names (INN) | Help

**COMPUTER GENERATED TM-SEARCH REPORT**

Search Criteria: Wordmark | Search String: why | Class: 41 | Search Date: 11-Nov-2017

APPL NO	CLASS	CONFLICTING MARK	JOURNAL No	PROPRIETOR NAME	PROPRIETOR ADDRESS	STATUS	Image
2246254	41	WHY THIS KOLAVERI DI	1792	SONY MUSIC ENTERTAINMENT INDIA PVT. LTD.	92, MAIN AVENUE, SANTACRUZ-WEST, MUMBAI 400 054, INDIA	Registered	

APPLICATION DATE : 08/12/2011  
GOODS/SERVICES : ENTERTAINMENT BUSINESS OF TALENT DISCOVERY, TALENT MANAGEMENT AND EXPLOITATION OF THE FILM AND NON-FILM CONTENTS AND MATERIAL ON PHYSICAL PLATFORMS AND NON-PHYSICAL/DIGITAL PLATFORMS  
Vienna Code(s) : 270517, 290103, 290108

USER DATE :

Government of India  
Ministry of Commerce & Industry  
Department of Industrial Policy & Promotion  
Controller General of Patents Design & Trade Marks  
Public Search of Trade Marks

Class Details | Well Known Marks | Prohibited Marks | Vienna Code Classification | International Non-Proprietary Names (INN) | Help

**COMPUTER GENERATED TM-SEARCH REPORT**

Search Criteria: Wordmark | Search String: why | Class: 41 | Search Date: 11-Nov-2017

APPL NO	CLASS	CONFLICTING MARK	JOURNAL No	PROPRIETOR NAME	PROPRIETOR ADDRESS	STATUS	Image
2246257	41	WHY THIS KOLAVERI DI	1690	SONY MUSIC ENTERTAINMENT INDIA PVT. LTD.	92, MAIN AVENUE, SANTACRUZ-WEST, MUMBAI 400 054, INDIA	Registered	
2251095	41	WHY THIS KOLAVERI DI		WUNDERBAR FILMS PRIVATE LIMITED	1-6 APPAVOO APARTMENTS, 1ST FLOOR, 2ND STREET, VENUS COLONY, ALWARPET, CHENNAI-600 013.	Objected	

APPLICATION DATE : 08/12/2011  
GOODS/SERVICES : ENTERTAINMENT BUSINESS OF TALENT DISCOVERY, TALENT MANAGEMENT AND EXPLOITATION OF THE FILM AND NON-FILM CONTENTS AND MATERIAL ON PHYSICAL PLATFORMS AND NON-PHYSICAL/DIGITAL PLATFORMS  
Vienna Code(s) : 270517, 290102

APPLICATION DATE : 16/12/2011  
GOODS/SERVICES : EDUCATION; PROVIDING OF TRAINING; ENTERTAINMENT; SPORTING AND CULTURAL ACTIVITIES.

USER DATE :



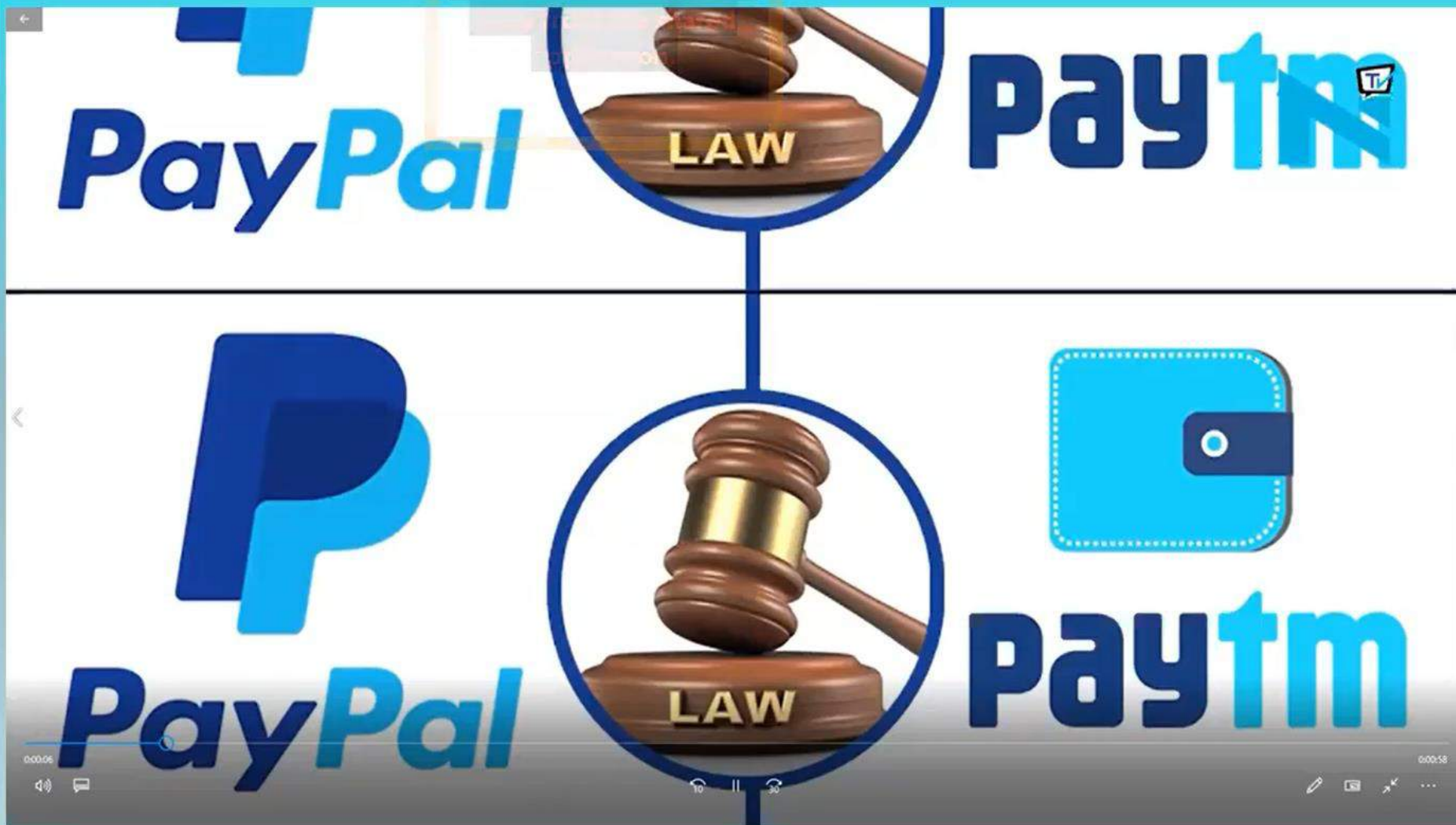
# JOLLY LLB2 MOVIE VS BATA COMPANY TRADEMARK DEFAMATION CASE- FEB17, 2017

Please move this window  
away from the shared



Annu Kapoor's Character humiliates Akshay Kumar's Character, stating that he wears Bata shoes, to which Akshay Kumar's character feels insulted and slaps Annu Kapoor's character in reaction.

## Paytm vs Paypal Case- Infringement under Sec 9 &11





# Trademark Classes



## List of Trademark Classes

1800-313-4151  
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 <b>Class 1</b> Chemical Products	 <b>Class 10</b> Medical Apparatus	 <b>Class 19</b> Building Materials	 <b>Class 28</b> Toys and Sporting Goods	 <b>Class 37</b> Building Construction & Repair Services
 <b>Class 2</b> Paints & Varnishes	 <b>Class 11</b> Environmental Control Apparatus	 <b>Class 20</b> Furniture and Materials not otherwise specified	 <b>Class 29</b> Meats and Processed Foods	 <b>Class 38</b> Telecommunication Services
 <b>Class 3</b> Cosmetics & Cleaning Substances	 <b>Class 12</b> Vehicles	 <b>Class 21</b> Houseware and Glass	 <b>Class 30</b> Staple foods including Flour, cereals, bread etc.	 <b>Class 39</b> Transportation and Storage Services
 <b>Class 4</b> Industrial Oils and Lubricants	 <b>Class 13</b> Firearms	 <b>Class 22</b> Ropes and Fibres	 <b>Class 31</b> Natural Agricultural Products	 <b>Class 40</b> Material Treatment Services
 <b>Class 5</b> Medicines	 <b>Class 14</b> Jewellery	 <b>Class 23</b> Yarns and Threads	 <b>Class 32</b> Light Beverages including Beer	 <b>Class 41</b> Education and Entertainment services
 <b>Class 6</b> Common Metals & Alloys	 <b>Class 15</b> Musical Instruments	 <b>Class 24</b> Fabrics	 <b>Class 33</b> Wines and Spirits	 <b>Class 42</b> Computer, Scientific and Legal
 <b>Class 7</b> Machine Tools	 <b>Class 16</b> Stationery and Paper Goods	 <b>Class 25</b> Clothing and Footwear	 <b>Class 34</b> Tobacco Products	 <b>Class 43</b> Restaurants and Food Services
 <b>Class 8</b> Hand Tools	 <b>Class 17</b> Rubber Goods	 <b>Class 26</b> Fancy goods such as Lace and Embroidery	 <b>Class 35</b> Advertising and Business Services	 <b>Class 44</b> Medical and Veterinary Services
 <b>Class 9</b> Electric and Scientific Devices	 <b>Class 18</b> Leather Goods	 <b>Class 27</b> Carpets and Floor Coverings	 <b>Class 36</b> Insurance and Financial Services	 <b>Class 45</b> Personal and Social Services

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# Trademark Search



Government of India  
Ministry of Commerce & Industry  
Department of Industrial Policy & Promotion  
Controller General of Patents Design & Trade Marks  
**Public Search of Trade Marks**



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Search Type : Wordmark

Key Word	Value	
Wordmark	Start With	
Class		*Enter one class at a time
Goods Description		*Will be available soon

Search




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### COMPUTER GENERATED TM-SEARCH REPORT

Search Criteria : Wordmark	Search String : o kareem	Class : 43	Search Date : 19-Dec-2018
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APPL NO	CLASS	CONFLICTING MARK	JOURNAL No	PROPRIETOR NAME	PROPRIETOR ADDRESS	STATUS	Image
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3953419	43	O' Kareem Family Restaurant	---	JEEVAN AMRIT FOOD PRODUCTS PVT. LTD	PLOT NO- 1186, HOTEL JAJATI COMPLEX, UNIT-3, MASTERCANTEEN, BHUBANESWAR - 751021, ODISHA, INDIA.	Objected	
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APPLICATION DATE : 24/09/2018

USER DATE :

GOODS/SERVICES : SERVICES FOR PROVIDING FOOD AND DRINKS.

Vienna Code(s) : 270501, 290112



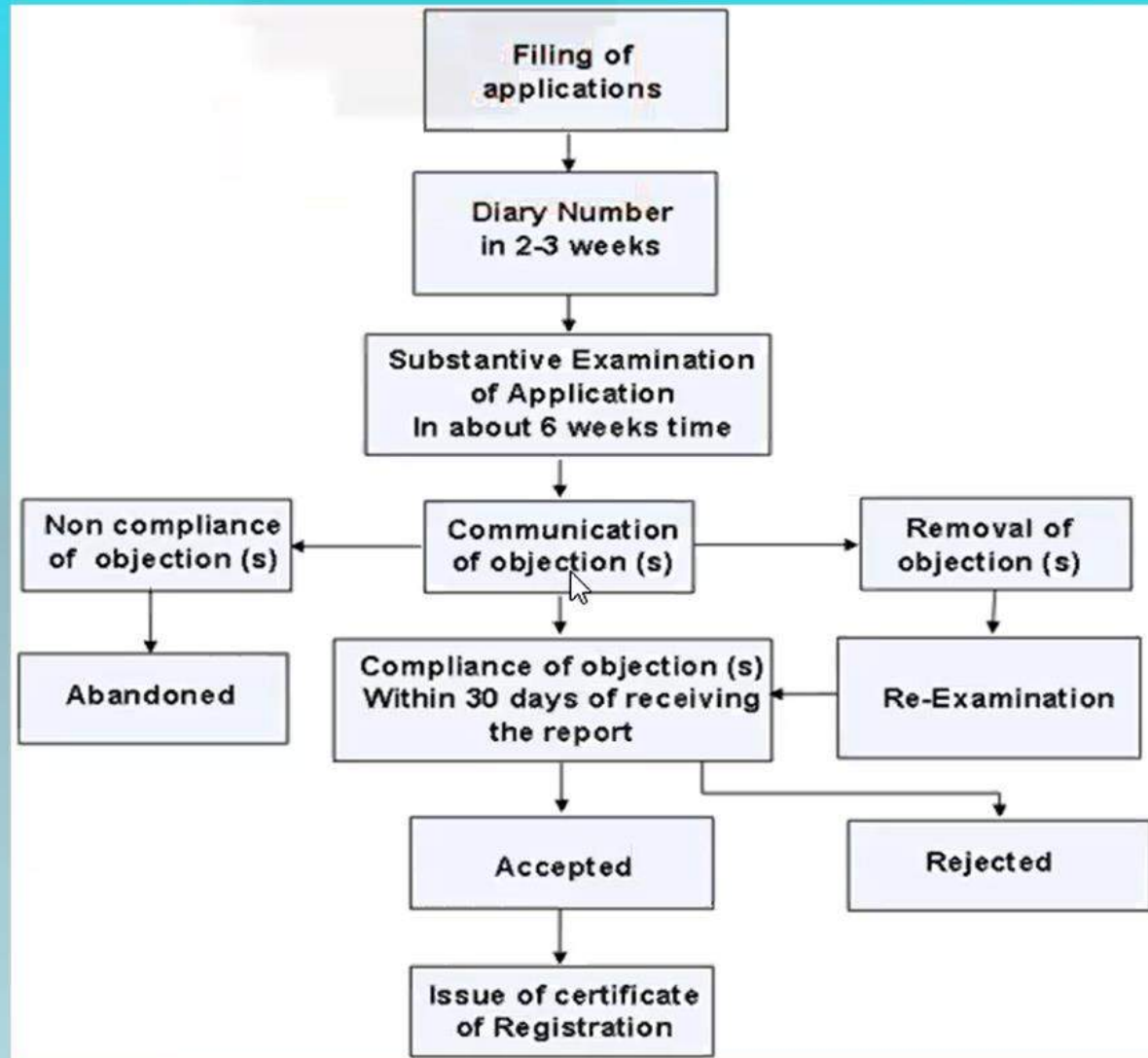
# Design Infringement case1

## Marico Vs. Raj Oil Mills

- Parachute cap
- Competitor's caps dissimilar
- No prima facie case
- Injunction denied



# Copyright filing procedure



## Bollywood's 'Raabta' June 9, 2017 - Copyright Infringement case – Claimed to be an Incarnation of telugu movie “ Magadheera”



➤Allegation of story script theft of Raabta movie makers from the movie Magadheera under copyright act 1957

➤Incarnation of the characters claimed

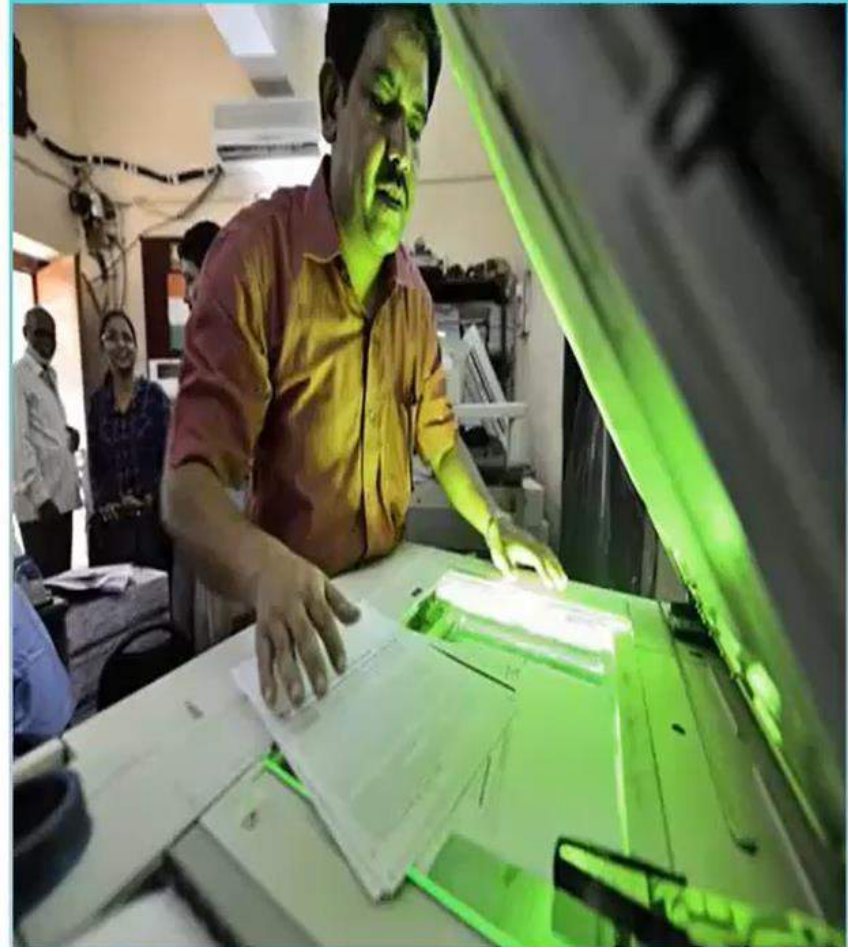
➤Demerits: No specific interface database to search for literary works in copyright database and lack of awareness about IPR.



# Copyright Infringement Case-Delhi University &Rameshwari photocopy case 2016

## DU PHOTOCOPY CASE

A suit was instituted in Delhi High Court by Oxford University Press, Cambridge University Press, United Kingdom, Cambridge University Press India Pvt. Ltd, Taylor & Francis Group, United Kingdom, Taylor & Francis Books India Pvt. for copyright infringement against Rameshwari Photocopy Shop (defendant no.1) and also against University of Delhi (defendant no. 2) for making course packs consisting of extracts from plaintiffs' publications using photocopy.



# GI Infringement – Basmati Rice Case



**Basmati Rice**



**American Company: RiceTec Inc, (Basmati 867)**

Patent application 1995

US Patent in 1997



International market

Kasmati

Texmati



Patenting Authority

US Patent

# TKDL- Traditional Knowledge Digital Library

## What is TKDL??

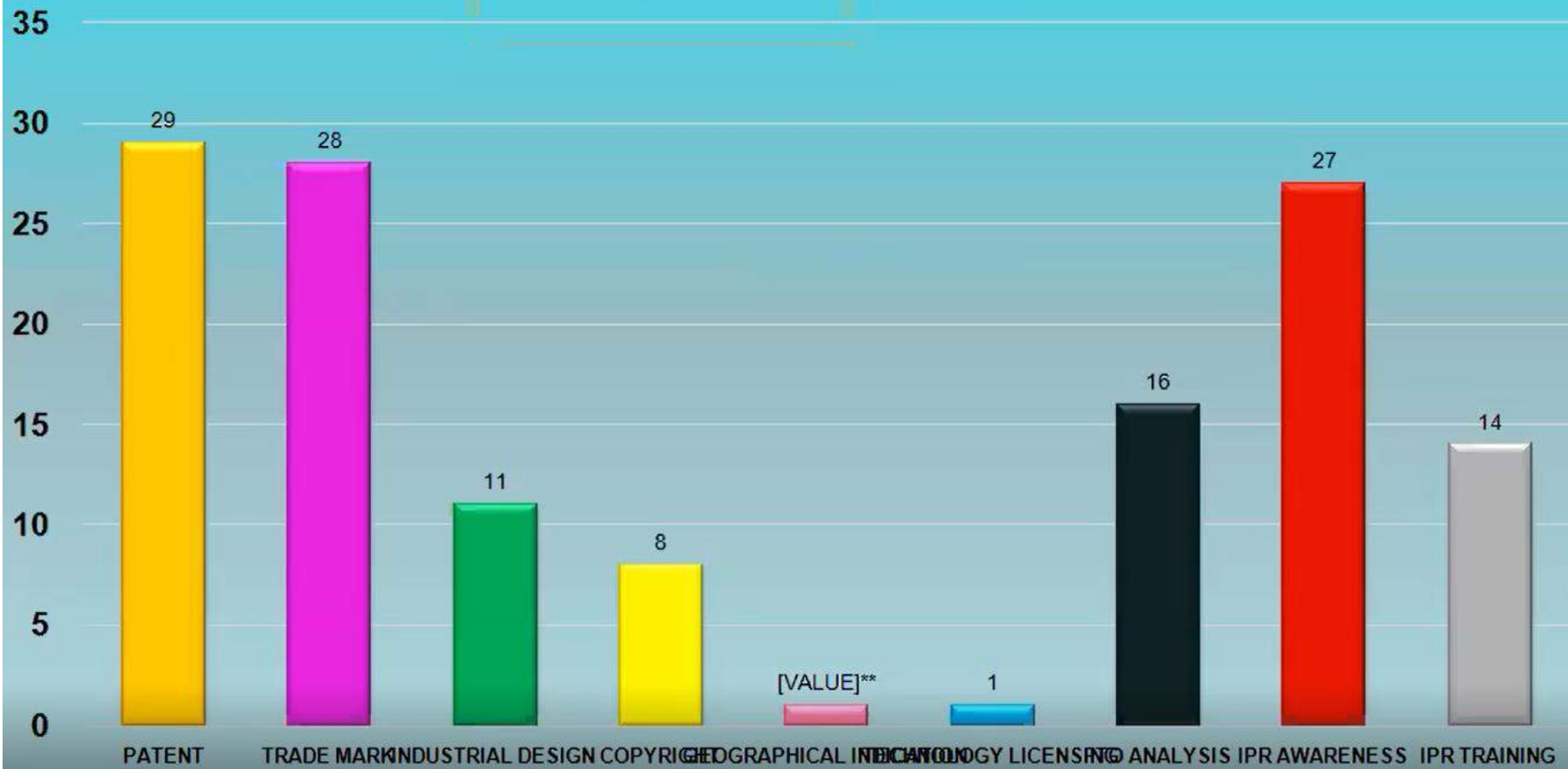
- Traditional Knowledge Digital Library (TKDL), an electronic database which provides information on traditional knowledge existing in the country.
- TKDL acts a bridge between the traditional knowledge information existing in local languages and the patent examiners at IPOs.
- It is a collaborative project between CSIR, Ministry of Science & Technology and Department of AYUSH (Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homeopathy), Ministry of Health & Family Welfare and is being implemented at CSIR.
- This database enables the Patent Offices all over the world to search and examine any prevalent prior art, and thereby prevent incorrect grant of patent on products/processes based on knowledge in public domain.

23



# Total Consultancy generated by form April 2018 to Sep 2020 – 17 Lakhs

## CTTC IPFC CONSULTANCY FROM APRIL 2018 TO MARCH 2019



Note: \*\* Under Process

# Success story of a start up Applicant- Tzar Aerospace Pvt Ltd



## Technology Licensing/ IP Commercialization support for “Start up” – 72 crores

- Technology Licensing/ Commercialization for **Start up based entrepreneur** “Tzar Aerospace Pvt. Ltd” inventions pertaining to Renewable Energy, Drone manufacturing, Aerospace engg, Biomedical, Robot Technology etc
- **ANALYSED** through the Competitive Intelligence analytics / Freedom to Operate analytics facilitated by the MSME IPFC cell using International Licensed Patent Databases
- Appreciated by the European Patent Office professionals of the investors team that ultimately paved the way for a fund grant of **Rs. 72 crores.**

# INSTITUTE OF DENTAL SCIENCE, BBSR



Name of the Inventor: Dr. Lora Mishra

Name of the Organisation: **Institute of Dental Sciences Bhubaneswar**

Title of the Invention: **"A novel endodontic file viewing box"**

Facilitatiuon Availed: Novelty Serach, Patent filing, Competitive Intelligence Analytics Design Development

Recognition: **Awarded with BIG Ignition grant 2018 of Rs. 50 lakhs under BIRAC-DBT, GOVT OF INDIA**

Ref: Big Grant-13, Mail Dated 12<sup>th</sup> December, 2018)



## application.



ମୁଦେଶ୍ୱର ପରିଆରେ ରହିଛି ଚୁଲ୍ଲ ଚୁଲ୍ଲ ଗୋଷ୍ଠି ସେଣ୍ଟର (ସିଟିଟିସି)। ଏଠାରେ ଥିବା ଆଇପିଏଫସି ବିଭିନ୍ନ ଇଣ୍ଡେଲେକ୍ସଆଲ୍ ପ୍ରତିଷ୍ଠାନଗୁଡ଼ିକର ବାମ ବଜୁଛି। ଚେଷ୍ଟା ଗୋଷ୍ଠିର ଚେଷ୍ଟାସ୍ଥପନା ଆରମ୍ଭ କରି ଦିଆଳ ଚ୍ୟାନ୍ସ ଲାଭ ଆବେଦନ ପ୍ରକ୍ରିୟା ବିଭିନ୍ନ ବାମ ପାଇଁ କୌଣସି ସଂସ୍ଥା ବା ବ୍ୟକ୍ତି କେନ୍ଦ୍ର ସରକାରଙ୍କ ଦ୍ୱାରା ଅନୁମୋଦିତ ଏହି ଇଣ୍ଡେଲେକ୍ସଆଲ୍ ପ୍ରତିଷ୍ଠାପନାକାରୀ ସେଣ୍ଟର (ଆଇପିଏଫସି)ର ସାହାଯ୍ୟ ନେଇପାରିବେ।



# VILLUPURAM

- Thursday 10/25/94 • Year End • Christ The King
- Thanksgiving 11/24/94 • Nahkoma (Stage)
- Winter & Winter, Today's Potluck • 11/29/94
- November 24-25 • 11/24-25/94

02

VILLUPURAM

THURSDAY 02.05.2019

## TN lacks awareness about GI status, rues official

© 2000 Viacom

A Central government official who is a native of Villupuram has been instrumental in Odisha farmers getting geographical indication (GI) status for the turmeric cultivated in Kandhamal district of the State.

Dr P.Karthigesan, who hails from Panchur village in Villupuram district, is working as an working as an IPR (Intellectual Property Rights) and Incubation Manager at the Technology Centre at Ethirambeswar in Odisha, which is under the Central ministry of Micro Small and Medium Enterprises. A former research scientist at IIT Madras, he was the facilitator for the application of the Glag for Kandhamal Haladi (turmeric) grown in Odisha state.

Kandhamal Haladi on January 12, 2010 on behalf of the Kandhamal Ager Spices Association for Marketing (KASAM) is I was authorised by U. Sriniwas, the District Collector of Kandhamal and president of KASAM, to facilitate the process of getting GI for the product," Warthigeyan told Times.

Explaining the process, he said the pre-filing stage started with field visits to Kandhamal district, to understand and monitor the method of production of turmeric, cultivation, pre-harvesting and post-harvesting management and climate significance. He added that his team had interactions with farmers, besides analysing the medicinal and industrial use of the particular variety of turmeric.

"It has been found that the uniqueness of Kamihama's form is by default and organ-

ic. It has curcumin content of 3.9-4.2 per cent and golden yellow oil percentage of 5.3. The turmeric is known to have numerous medicinal and industrial uses, and it has received USDA Organic certification and Control Union certification," said Karthikeyan.

He further said these parameters were evaluated by Central government research labs and were compared with varieties such as the already GI-registered Wajgaon turmeric from Maharashtra and other local varieties to establish the

### Geographical Indication

In TN, only Kancheepuram silk sarees, Madurai jasmine, Tanjore art plates, Madurai Songdoli sarees, etc., have received the GI status, while many more products like Tirunelveli halwa and Dindigul locks are yet to get the indication, said Karthikeyan.

unique-ness of Kandhamal turmeric. The application was accepted on August 28, 2004 at the OGM meeting held in New Delhi and it was advertised for publication in the journal to seek opposition notices, if any."

He added that for Waigao turmeric, GI tag was given after more than a year of struggle, but for a Kandhamal turmeric, they got it within a year.

"More than 40,000 families are engaged in cultivation of Kandhamal turmeric. The benefits of GI Tag is that it increases demand for the product and thereby increases farmers' socio-economic status. It also provides direct and indirect employment to the entire rural youth. The GI tag will certainly contribute to the upliftment of tribals, who are the majority in the district. This tag gives Kandhamal turmeric commercial identity

tion, so it can attract the attention of domestic and international market. It will boost the export of the turmeric, thereby enhancing the economy of the region," said Karthikeyan.

Karthikeyan added that in Tamil Nadu and Puducherry, people lack awareness about GI tags. "In TN, about 400 handicrafts are sold on street corners, in Tanjore art plates, Madurai asurme, Madurai Sengudi sarees, Salem mangoes, Tanjore paintings, and Parhamadamats have received geographical indication status, while many more products like Tiruvallur habra and Onthal locks are yet to get this indication, though they are used on particular regions in Tamil Nadu. He added that GI tags will ensure these products are not duplicated in other places and increase the market for the original products.

# National award Holder- Subrata Halder- IP Facilitation

- Developed a low cost effective automatic wheel chair for the persons suffering from cerebral palsy .
- IP Facilitation Manufacturing assistance provided by CTTC.





# Geographical Indication filed for " Gajapati Date Palm Jaggery"



Gajapati District is about 300 Kms away from State Capital Bhubaneswar. The Date palm trees are abundantly available in hillsides of the Gajapati district. Gajapati Date Palm Jaggery made by the Soura Tribals of cottage industry is developed under Odisha Rajya Talgur Samabaya Sangha Ltd (ORTSS), Govt of Odisha Enterprise and about thousands of tribal people are engaged in production of Date palm Jaggery.

" Gajapati Date Palm

Jaggery" - GI Application No: 690 has been facilitated and filed by Dr. P. Karthikeyan, IPR Expert, from CTTC, MSME-IPFC, Ministry of MSME, Govt. of India who has been authorized by Odisha Rajya Talgur Samabaya Sangha Ltd (ORTSS), Govt of Odisha Enterprise.

Dr. P. Karthikeyan said, "Date Palm Jaggery is a natural sweetener obtained from sweet juice (neera) of the Date Palm trees which is grown in natural climate. Gajapati Date palm Jaggery is prepared in trapezoidal form called Pataligur. This jaggery is produced in traditional method and its purely organic in nature as no natural or synthetic colouring agents and artificial sweetening agents are added in this jaggery. The colour of

Date Palm Jaggery is dark brown in nature. It has a unique taste and flavour. Samples of Date Palm Jaggery were tested in Central Govt laboratories to ascertain and establish the scientific and technical nature thereby yielding its Uniqueness. This jaggery is delicious and supplements the iron and vitamin deficiency. It also has a high and numerous medicinal value and used in preparation of Ayurvedic medicines for curing asthma, gastric disorders, cough etc. This jaggery is also used by the diabetic patients as it contains less sugar percent than sugar cane jaggery, crystal sugar and other sweetener agents. This Jaggery is rich in vitamins and natural minerals and also

more nutritive than other sweeteners".

Dr. P. Karthikeyan said, the unique scientific and technical characteristics of the date palm jaggery with respect to other sugarcane jaggery are it possess a PH-5.42, Total Sugar-80.3%, Sucrose -65.10% Reducing Sugar -11.81%, Total Ash -4.7%, Iron-14.02 mg/100gm, Calcium -288.7 mg/100gm as per test results of different samples of date palm jaggery from central govt laboratories.

Dr. P. Karthikeyan said, the GI tag will take a year as it has to undergo so many stages by projecting their uniqueness from their scientific and technical aspects. The Grant of GI will help the govt to protect the interest of tribals, enhance their livelihood, employment and commercial exploitation.



# AN ENGINEERING DROPOUT & GRASS ROOT INNOVATOR WITH **140 PATENT GRANTS**- Uddhab Bharali From Assam



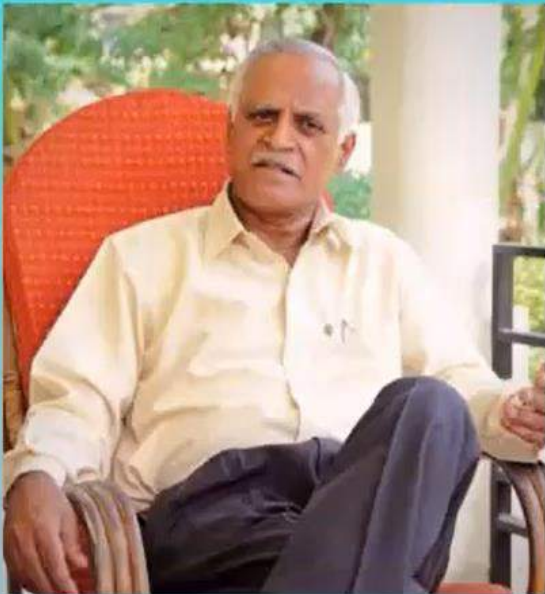
**DID YOU  
KNOW?**



**Uddhab Bharali,** born on 7th April, 1962 in North Lakhimpur, Assam, is the first Assamese to win NASA prize for his splendid design of a 'mini pomegranate de-seeder'.



# “Brigadier Ganesham”-The Mentor Behind Innovations That Won 13 President’s Awards & 2 Padma Shris!



- This retired Army man has helped identify over 200 grassroots innovators behind brilliant utilitarian devices that can help solve day-to-day issues. India definitely needs more mentors like him!
- **Organisation name- Palle Srujana**
- Today, out of the two hundred innovations, 26 are ready for sale, 24 have patents, 13 have bagged President awards, and 2 received Padma Shri awards!



## “Chintakindi Mallesham”-From weaver to engineer: Meet the Telangana man whose invention won him a Padma Shri



- Invented Laxmi Asu Machine, which processes yarn, and has managed to reduce the time taken to weave a Pochampally sari to an hour-and-a-half, from about six hours when done manually.
- **Recognition**
- Rashtrapathi Award in 2009
- Mallesham was even named in Forbes' list of the seven most powerful rural Indians.
- 'Amazing Indian' award by Prime Minister Narendra Modi
- Padma Shri Awardee



# IP awareness Quiz

- 1) A company wishes to ensure that no-one else can use their logo.
- 2) A singer wishes to assign the rights to reproduce a video she made of her concert.
- 3) A new way to process milk so that there is no fat in any cheese made from it.
- 4) A company has decided to invest in packaging, which is distinctive, and they wish to ensure that they have sole use.
- 5) A company decides to keep its business idea confidential
- 6) A Farmer wants to protect the seeds of plant variety.
- 7) An engineer wants to protect the transistors and IC of circuit board.
- 8) A region wants to protect its specific reputed and unique characteristics ought to its environmental and Geographical Significance.

THANK YOU!

Any further IP Facilitation for your  
innovative ideas ,  
Please contact

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Whatsapp: +91-9003522986

Mail Id: [iprkarthi@gmail.com](mailto:iprkarthi@gmail.com)