Indian Designs Office issues draft guidelines for registration of GUIs and Icons

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Indian Designs Office issues draft guidelines for registration of GUIs and Icons

The Indian Designs Office has issued the Draft Guidelines for Registration of Designs Relating to Graphical User Interfaces (GUIs), Icons and Similar Subject Matter under the Designs Act, 2000 and the Designs Rules, 2001, marking an important development in the evolving landscape of design protection in India. The Draft Guidelines seek to address longstanding uncertainties surrounding the registrability of graphical user interfaces, icons, screen displays and other digital visual elements while establishing a more consistent and predictable framework for their examination. The initiative is particularly relevant in an increasingly digital environment where the visual appearance of mobile applications, electronic dashboards, wearable devices, automotive displays and other interactive interfaces has become an important element of product differentiation and commercial identity. The Guidelines are presently in draft form and stakeholders have been invited to submit their comments and suggestions by October 30, 2026, at controllerdesign.ipo@nic.in and cgoffice.in@gov.in.



Background and Judicial Developments

Historically, the Indian Designs Office has adopted inconsistent approaches towards the registrability of GUIs. While certain graphical interfaces have been accepted for registration, others have faced objections on the grounds that a GUI does not constitute an "article" within the meaning of the Designs Act, is generated through software rather than an industrial process, lacks permanence or becomes visible only when an electronic device is switched on. These objections created considerable uncertainty for applicants particularly technology companies and manufacturers seeking protection for innovative screen-based designs. A significant judicial development occurred with the Calcutta High Court's judgment dated March 9, 2026, delivered in a batch of appeals concerning the registrability of GUIs. The Court recognised that graphical user interfaces inherently comprise visual features such as iconography, layout, colour schemes, composition of lines and ornamentation, and that creative choices concerning their arrangement, proportion, spacing and colours may produce an aesthetic visual impression capable of being judged by the eye. The Court rejected the proposition that GUIs are automatically excluded from protection under Sections 2(a) and 2(d) of the Designs Act merely because the legislation does not expressly refer to graphical user interfaces. The Draft Guidelines have been formulated against this judicial background and seek to translate these principles into practical examination standards while remaining within the existing statutory framework.

Recognition of GUIs and Icons as Registrable Subject Matter

One of the most significant aspects of the Draft Guidelines is their express recognition that both static and dynamic GUIs and icons may qualify for design protection provided they satisfy the applicable statutory requirements. A GUI is described as a visual interface displayed on a screen through which users interact with a device or system, whereas an icon refers to a graphical symbol representing a function, command or application. Importantly, the Guidelines contemplate not only conventional static screen displays but also dynamic interfaces involving transitions, transformations, animations and sequential visual changes. This recognition reflects the technological evolution of modern digital products and acknowledges that visual innovation increasingly extends beyond the physical configuration of an article. However, the Draft Guidelines do not introduce an article-independent system of digital design protection. A GUI or icon must continue to be associated with an identifiable article such as a mobile phone, tablet, computer monitor, smartwatch, vehicle dashboard or another display-enabled device. Consequently, an application identifying the subject matter merely as a "GUI", "Icon" or "Graphic Symbol" without establishing its association with an article, may not be acceptable.

Visibility, Industrial Application and Novelty

The Draft Guidelines provide important clarification concerning two issues that have historically resulted in objections against GUI applications: visibility and industrial application. They expressly recognise that a GUI or icon need not remain permanently visible on an article and that visibility during the normal use of the article is sufficient. Accordingly, the fact that a GUI becomes visible only when an electronic device is powered on, is non-permanent or lacks tactile characteristics will not, by itself, adversely affect its registrability. Equally significant is the clarification that the generation and display of a GUI or icon through electronic means and execution of software may satisfy the requirement under Section 2(d) that a design be applied to an article through an industrial process or means. These clarifications address important practical obstacles previously encountered by applicants and recognise the technological manner in which digital interfaces are created and displayed. Nevertheless, the fundamental requirements of novelty and originality remain unchanged.

Classification, Representations and Statements of Novelty

The Draft Guidelines provide detailed practical guidance concerning the classification and preparation of applications for GUI-related designs. Where novelty resides exclusively in the GUI or icon, the application may be classified under Locarno Class 14-04 which covers screen displays and icons, even where the interface appears on an article ordinarily classified under another class. Where novelty resides principally in the physical article, the appropriate classification of that article should be adopted. Where both the physical article and its graphical interface independently possess novel

features, separate applications may be considered for protecting the respective subject matter. The Guidelines provide illustrative titles such as "Touchscreen with Icons", "Computer Monitor with GUI", "Mobile Phone with GUI", "GUI on Speedometer" and "Smart Watch with GUI", demonstrating the importance of identifying the relevant article rather than describing the subject matter simply as a GUI or icon. The Guidelines further permit the use of broken lines to distinguish unclaimed portions of an article from the claimed design. Alternatively, the entire article may be illustrated in solid lines with the relevant GUI specifically identified. Recognising the distinctive characteristics of screen-based designs, the Guidelines indicate that a front or perspective view adequately showing the GUI or icon will ordinarily be sufficient, although additional views may be submitted where necessary. Particular attention must also be given to the statement of novelty which may identify the novelty as residing in the surface ornamentation, surface pattern or shape, configuration and ornamentation of the relevant article. For example, where protection is sought for the graphical appearance displayed on a mobile phone, the statement may read: "Novelty resides in the surface ornamentation of the Mobile Phone as illustrated." Where only a particular portion of the interface is claimed, the novelty statement and representations should clearly identify that portion.

Dynamic GUIs and Examination Standards

The express recognition of dynamic and animated GUIs represents a progressive feature of the Draft Guidelines particularly for businesses developing animated icons, loading sequences, automotive displays and interactive digital interfaces. However, the proposed filing mechanism remains comparatively conservative. Where a dynamic interface comprises multiple frames, the Guidelines contemplate the filing of each frame containing the GUI as a separate design including through separate applications. Importantly, the Designs Office proposes that searches for GUI-related applications should include Class 14-04 irrespective of the class in which the application has been filed, together with searches in the relevant article class wherever appropriate.

Practical Implications

The Draft Guidelines have significant practical implications for technology companies, automotive manufacturers, consumer electronics businesses, software developers and other enterprises investing in distinctive digital interfaces. Applicants should carefully determine whether protection is required for the graphical interface alone, the physical article or both, and formulate their filing strategies accordingly. Appropriate classification, accurate identification of the article, strategic use of broken lines, carefully drafted novelty statements and comprehensive prior-design searches will be essential to securing effective protection. For animated interfaces, separate filings covering commercially important frames may also need to be considered. At the same time, it is important to recognise that the Draft Guidelines are expressly clarificatory and directory in nature and do not create, enlarge, restrict or otherwise modify the substantive rights available under the Designs Act. In the event of any

inconsistency, the statutory provisions will prevail. Nevertheless, the proposed framework represents a welcome development towards greater certainty and consistency in the examination of digital designs in India.

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