New Patent Rules- the changes

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The Patents (Amendment) Rules 2016, effective 16th May 2016, prescribe some major procedural changes in patent prosecution in India. The article looks at some salient changes proposed by the Rules:

1. Address for service made mandatory
2. Leaving and serving documents
3. Refund of fees
4. Inclusions in specifications
5. Formalities pertaining to amendments
6. International applications designating India
7. Examination of applications
8. Expedited examination of applications
9. Hearings - timeframes and remote participations
10. Oppositions
11. Adjournment of hearings
12. Certified copies
13. Agency
14. Power to extend time prescribed
15. Fees for sequence listing

The firm's engagement as a stakeholder in the patents process also sees some of its proposals being incorporated in the Rules:

- Refund of examination fees
- Permission to delete claims when entering national phase in India
- 6+3 months' time to reply to the examination report

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