



2027 by 2027

The Government's Incentives for IP Protection in India

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Executive Summary

- The presentation includes below content
 - ✓ Government of India Support for Higher Education Institutions (HEIs)
 - ✓ Government of India Support for Micro, Small and Medium Enterprises (MSME)
 - ✓ Government of India Support for Startup India



Higher Education Institutions (HEIs)



Kalam Program for IP Literacy and Awareness (KAPILA)

- Recognise, facilitate and felicitate the Intellectual Property, innovations, and best practices in Higher Education Institutions (HEIs)
- IPR Courses to cater the requirements of students at UG, PG and PhD level and to give freedom to institutes and universities to cover breadth and depth of the subject
- Provides financial assistance to the institutions that are part of the HEIs
- Funding Assistance upto 5600 INR per application for patent filing
- patents filed from 15th October 2021 onwards are eligible for KAPILA scheme
- Only convener of the KAPILA Committee can register their institute and submit applications on behalf of the applicant's not an individual.
- KAPILA committee is minimum five membered committee consisting of two faculty members, two of the institute's alumni/ industry experts and one legal advisor.

Kalam Program for IP Literacy and Awareness (KAPILA)

- Maximum 20 shortlisted applications per year evaluated at institute level by KAPILA committee can be submitted to the KAPILA scheme and 50 % of the total shortlisted application is funded on reimbursement mode.
- Funding for patent application filing fee and examination fee for a maximum of 10 patent application only.
- Amount reimbursed in KAPILA scheme:

| Sr. No. | Budget Head | Amount in ₹ |
|----------------|--|--------------------|
| 1 | Funding support for patent application filing fee | ₹ 1,600/- |
| 2 | Examination fee | ₹ 4,000/- |
| 3 | Amount per Application | ₹ 5,600 /- |
| | Total Amount (Maximum Application 10 per Institute per year) | ₹ 56,000/- |

Scheme to fund 10,000 patents/year

- Government to launch scheme to fund 10000 patents every year from educational institutions
- To encourage more students and faculty members to protect their IPR
- To help Indian higher education institutions to improve their rankings globally by performing well in research and development category .
- Funding will be provided by UGC for 10000 patent applications annually.
- The funding may support from filing of patent till maintenance fee payment
- New amended PhD regulation further recommends students and faculty to patent their innovations
- expedited examination facility is available if applicant is a female

Micro, Small and Medium Enterprises (MSME)



What is a Small Entity?

An entity shall be considered as a Small Entity if it meets the following criteria:

1. The investment in plant and machinery, or equipment does not exceed INR 50 crore (USD 6.8 million); and
2. The annual turnover is not more than INR 250 crore (USD 34 million)

National Intellectual Property Rights (IPR) Policy

- aims to simplify the patenting procedure
- reduces the average time taken to examine a patent from 5 years to 18 months.
- gives financial assistance on grant of patent and registration of GI & trademark:
 - ✓ Domestic Patent: INR 1 lakhs
 - ✓ Foreign Patent: INR 5 lakhs
 - ✓ GI Registration: INR 2 lakhs
 - ✓ Trademark: INR 0.10 lakhs
- upto INR 65 lakhs per centre is available for setting up an IP Facilitation Centre
- reductions in fees and discounts such as an 80% rebate on patent fees
- expedited examination facility is available



National Intellectual Property Rights (IPR) Policy

Gol funding support for

- ❖ Conducting awareness programmes on IPR : Rs.1 lakh per programme
- ❖ Conducting pilot studies for selected clusters/Groups of industries : Rs.2.5 lakh per pilot study
- ❖ Interactive Seminars/Workshops : Rs.2 lakh per programme
- ❖ Gol assistance of Rs.6 lakh per short term training programme and Rs.45 lakh per long term training
- ❖ Up to Rs.5.00 lakh and Rs.7.50 per event for domestic intervention and International Exchange Programme

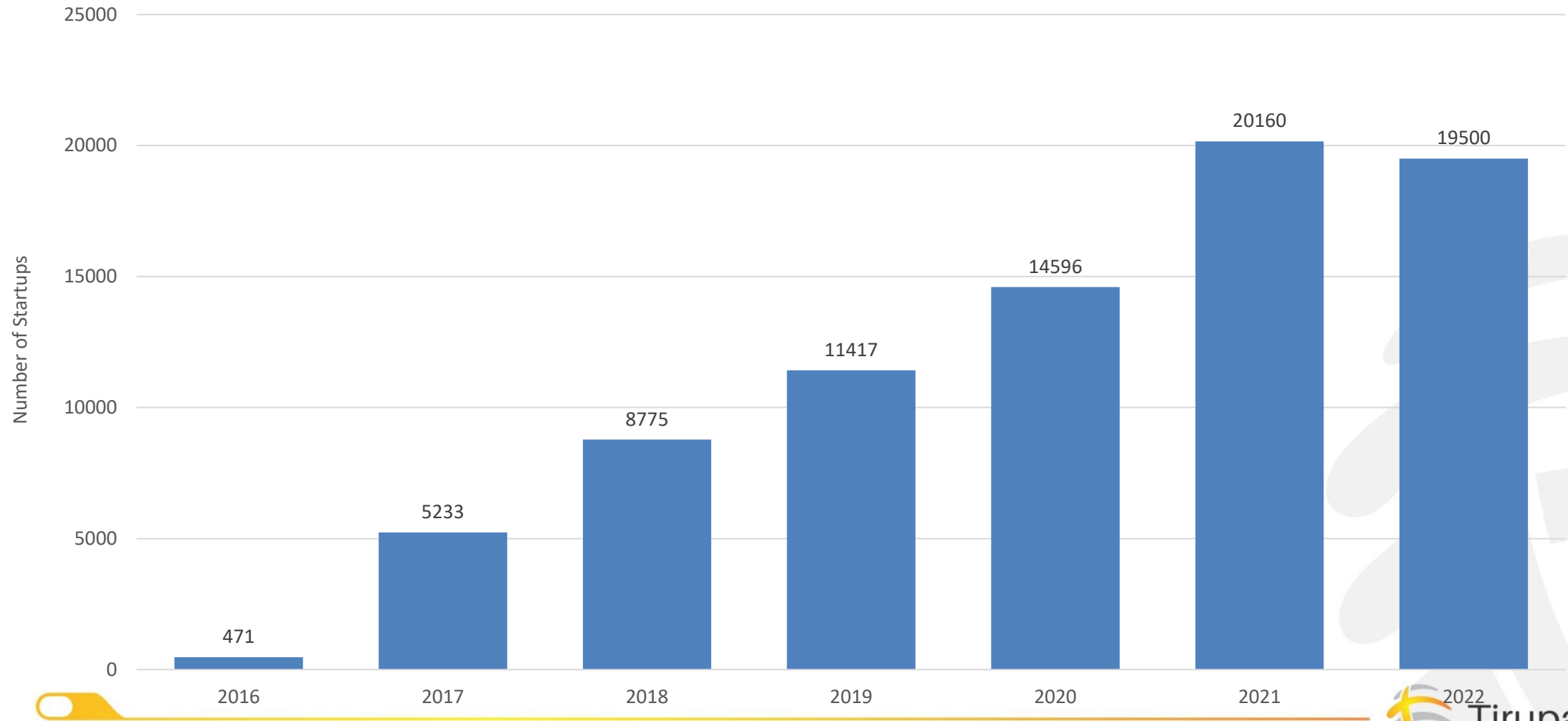
Startup India



Startup India

- a flagship initiative of the GOI
- objective is to catalyse startup culture and build a strong and inclusive ecosystem for innovation and entrepreneurship in India
- launched on 16th January 2016 and a total of 80,152 startups recognized
- 108 startups have become unicorns and India is 3rd in the world in terms of no. of unicorns.
- of 19 action plans to support startups one is Legal Support and Fast-tracking Patent Examination at Lower Costs
- The scheme for Startup Intellectual Property Protection (SIPP) to facilitate
 - ✓ Fast-tracking of Startup patent applications
 - ✓ Panel of facilitators to assist in filing of IP applications
 - ✓ Government to bear facilitation cost
 - ✓ Rebate on filing of application (80%)

Number of government recognized startups from FY 2016-2022



Source: <https://www.statista.com/statistics/1155602/india-start-up-recognized>

Scheme for Facilitating Start-Ups Intellectual Property Protection (SIPP)

- It is envisaged to facilitate protection of Patents, Trademark and Designs of innovative and interested Startups.
- Its vision is to protect and promote Intellectual Property Rights of Startups to encourage innovation and creativity among them.
- Its objective is to promote awareness and adoption of Intellectual Property Rights amongst Startups.
- Scheme assists them in protecting and commercializing innovative and emerging technologies by providing them access to high-quality IP services and resources.
- Scheme provides fund for purpose of paying the facilitator/patent agent/ trademark agent for filing and prosecuting their IP application.
- expedited examination facility is available

Scheme for Facilitating Start-Ups Intellectual Property Protection (SIPP)

Fees of Facilitators (Figures in INR)

| Stage of Payment | | Patent | Trademark | Design |
|--|--------------------|--------|-----------|--------|
| At the time of filing of Application | | 15,000 | 3,000 | 3,000 |
| At the time of final disposal of Application | Without Opposition | 25,000 | 5,000 | 5,000 |
| | With Opposition | 35,000 | 10,000 | 10,000 |

- As on 30 September 2022, INR 380.81 Lakhs disbursed as fees to the facilitators
- Statutory fees is borne by the Startup itself.
- Patent applications by Startups increases from 179 in 2016-17 to 1500 in 2021-22
- Trademark applications by Startups increases from 4 in 2016-17 to 8649 in 2021-22
- Till Oct 2022, 7430 patent and 28749 Trademark applications filed by Startups

Patent reimbursement by State Governments

- Many state governments in India have a Startup Cell.
- These cells actively support startups and provide knowledge, incentives, and funding
- Many state governments also encourage startups to file patents by reimbursing the cost of filing patents.
- Karnataka Startup Cell gives several financial incentives.
- Karnataka Startup Cell reimburse up to INR 2 lakh for every granted Indian patent and INR 10 lakh for a foreign patent.
- 75% of this reimbursement after filing and the remaining after the grant of patent
- Similar schemes are available in many states

Thank You!

