



Confederation of Indian Industry



**INTELLECTUAL
PROPERTY INDIA**
Patents | Designs | Trademarks
Geographical Indications

CLUSTER LEVEL IP AWARENESS PROGRAM F O R AUTO CLUSTER

C H E N N A I - 1 6 O C T O B E R 2 0 1 3

\$ \$ERXW WKH ,QLWLDWLYH

x &OXVWHU 6HOHFWHG IRU

x 0HWKRGRORJ\

% 2EMHFWLYHV

& 3ODFH 9HQXH

' \$QQH[XUHV

x \$11(;85(, 'HWDLOHG 3URJUDPPH

x \$11(;85(,, 6SHDNHU V 3URILOH

x \$11(;85(,,, /LVW RI 5HJLVWHUHG 3DUWLFL

x \$11(;85(,9)HHGEDFN

x \$11(;85(9 *OLPSVH RI (YHQWV

x \$11(;85(9, \$ERXW 2UJDQLVHUV

Cluster level IP Awareness program

An initiative of the office of the Controller General of Patents, Designs and Trademarks (CGPDTM) in association with Industry Associations (CII, FICCI, ASSOCHAM)

\$ \$ERXW WKH ,QLWLDWLYH

%DFNJURXQG ,Q WKH JOREDOO\ FRPSHWLWLYH HQY
KDV SODFHG LWVHOI RQ D SHGHVWDO LQ WKH FRQW
EHFRPH PRUH LPSRUWDQW WKDQ HYHU ,QWHOOFHWX
WKH HQJLQH RI SURVSHULW\ IRVWHULQJ LQYHQWL
LQWDQJLEOH DVVHW ,QWHOOFHWXDO 3URSHUW\ SOD
HFRQRPLF HFRV\VWHP DQG WKHLU FUHDWLRQ DQG S
VXVWDLQHG JURZWK RI D QDWLRQ ,QFUHDVLQJ VLJQ
WKH JOREDO HFRQRPL\ LV IRUFLQJ EXVLQHV RUJDQL
UROH RI ,3 DV D NH\ GULYHU IRU EXLOGLQJ DQG
DGYDQWDJH DQG DFKLHYLQJ VXSHULRU SHUIRUPDQFH

,QWHOOFHWXDO 3URSHUW\ 5LJKWV ,35V DUH H[FOX
SURSHUW\ JUDQWHG WR FUHDWRUV KROGHUV ZK
PLVDSSURSULDWLRQ E\ WKLUG SDUWLHV ZLWKRXW W
RQO\ EHLQJ XVHG DV D WRRO WR SURWHFW FUHDWLY
WR EXLOG VWUDWHJLF DOOLDQFHV IRU VRFLR HFR
\$FFRUGLQJO\ LQ RUGHU WR IRVWHU WKH SURWHFWL
,QWHOOFHWXDO 3URSHUW\ 2IILFH XQGHU WKH 0LQLV
GHGLFDWHG WR PRELOLJH WKH XVH RI VXFK WHFKQ
HFRQRPLF GHYHORSPHQW RI WKH FRXQWU\

,QWHOOFHWXDO 3URSHUW\ /DZV LQ ,QGLD DUH 75,36
VWURQJ HQIRUFHPHQW PHFKDQLVP DQG D YLEUDQW M
EHVW LQYHVWPHQW RSSRUWXQLWLHV DQG D FRQGXFW
5LJKWV LQ RUGHU WR HQDEOH WKH LQGXVWULDO FR
DFWLYLWLHV

,QGLD KDV DOVR GHYHORSHG D QDWLRQDO IUDPHZR
,35V ZKLFK LV FRQWLQXRXVO\ HYROYLQJ DQG PH
FKDOOHQJH EHIRUH WKH FRXQWU\ LV WR VFDOH XS
FDSWXUH YDOXH IURP WKH VFLHQWLILF DQG WHFKQ
FRXQWU\ LQWR WKH OHDJXH RI PRVW LQQRYDWLYH D

5HFRJQLJLQJ WKH LPSRUWDQFH RI LQWHOOFHWXDO S
,QGLD GHFODUHG WKH GHFDGH RI DV WKH 'H
IXWXUH SURVSHULW\ RI ,QGLD LQ WKH QHZ NQRZOHG

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G H S H Q G R Q L W V D E L O L W \ W R J H Q H U D W H Q H Z L G H D V
S U R F H V V R I L Q Q R Y D W L R Q Z R X O G F R Q Y H U W N Q R Z O
H F R Q R P L F Z H D O W K 7 K H 3 U H V L G H Q W F D O O H G X S R
H [S H Q G L W X U H R Q U H V H D U F K W R S X U V X H L Q Q R Y D W L
F R P S H W L W L Y H Z R U O G , Q G L D K D G W R X Q O H D V K L W V
F D S D F L W \ S U R G X F W L Y L W \ H I I L F L H Q F \ D Q G L Q F O X V L
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J R Y H U Q P H Q W W R S H R S O H D W D O O O H Y H O V .

5 H O H Y D Q F H D Q G , P S R U W D Q F H R I , Q W H O O H F W X D O 3 U
W L P H V D U H F K D Q J L Q J D Q G Q R Z Z H F D Q Q R O R Q J H U F
P D U N H W W R V K H O W H U X V L Q W K H V W F H Q W X U \ ,
L Q G X V W U L H V Q H H G W R V W H S X S W K H L U H I I R U W V D Q C
S U R G X F W V D Q G E H F R P H P R U H S U R D F W L Y H W R S U R W H
W K H V X F F H V V I X O H [S O R L W D W L R Q R I Q H Z L G H D V L V
H Q D E O H V R Q H W R F R P S H W H H I I H F W L Y H O \ L Q W K H
H Q Y L U R Q P H Q W , W L V Q R Z F U L W L F D O I R U W K H , Q G
L P S O L F D W L R Q V R I , Q W H O O H F W X D O 3 U R S H U W \ S U R W H
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+ R Z H Y H U , Q G L D Q L Q G X V W U \ L V \ H W W R U H D O L J H W
S U R S H U W \ U L J K W V G H V S L W H W K H L U L Q K H U H Q W L Q Q R
W K H D S S O L F D W L R Q V I L O H G I R U S U R W H F W L R Q R I L Q W
D W Z R I R O G Q H H G Z L W K U H V S H F W W R L Q W H O O H F W X D O
* U H D W H U X Q G H U V W D Q G L Q J D F U R V V W K H L Q G X
I X Q G D P H Q W D O V D Q G G L I I H U H Q W I D F H W V R I , 3 D Q C
\$ G Y D Q F H G O H D U Q L Q J L Q W K H D U H D R I S D W H Q W
L Q G L Y L G X D O V Z K R F D Q S H U I R U P D W S H D N S R W H Q

, Q W K L V E D F N J U R X Q G W K H , Q W H O O H F W X D O 3 U R S H U
, Q G X V W U \ \$ V V R F L D W L R Q V Q D P H O \ W K H & R Q I H G H U D W
) H G H U D W L R Q R I , Q G L D Q & K D P E H U V R I & R P P H U F H
\$ 6 6 2 & + \$ 0 K D V S O D Q Q H G W R F R Q G X F W D V H U L H V R I
S U R J U D P V R Q , 3 L Q \ H D U W R F U H D W H , Q W H O O
D P R Q J W K H V S H F L I L F F O X V W H U V V R D V W R H Q F R X U
, Q W H O O H F W X D O 3 U R S H U W \ 5 L J K W S U R W H F W L R Q

Cluster level IP Awareness program

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\$ & OXVWHU 6HOHFWHG IRU

7KH IROORZLQJ FOXVWHUV FOXVWHUV KDYH EHHQ
SURJUDPV

\$XWR &KHQQDL

/HDWKHU \$PEXU 71

+DQGORRP /XGKLDQD

/HDWKHU .DQSXU

*HPV DQG -HZHOOHU\ 6XUDW

)RXQGU\ %HOJDRQ

\$XWR 3LWKDPSXU ,QGRUH

(QJLQHHULQJ 7HFKQRORJ\ 1DVLN 0+

&KHPLFDO \$QNOHVKZDU

0DFKLQH 7RROV %DQJORUH

\$XWR 3XQH

&RLU \$ODSSXJKD .HUDOD

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\$ 0HWKRGRORJ\

7KH IROORZLQJ PHWKRGRORJ\ ZHUH XVHG LQ FRQ
SURJUDPV

6WHS

\$ RQH GD\ DZDUHQHV SURJUDPPH ZDV KHOG ZKLFH
FRYHULQJ YDULRXV DVSHFWV RI LQWHOOFHWXDO 3U
WR 7HFKQRORJ\ 7UDQVIHU ,3 /LFHQVLQJ 9DOXDW
&RPPHUFLDOLJDWLRQ WR RIIHU D FRPSURWHQWLYH
NQRZOHGJH WR DOO WKH SDUWLFLSDQWV SDUWLFXO
SURSHUW\ DQG LWV HIIHFWLYH SURWHFWLRQ 7KH S
UHODWLQJ WR (QIRUFHPHQW RI ,3V 5HPHGLHV DJD
SURJUDPPH ZRXOG EH WDLORUHG PDGH DV SHU WKH V

6WHS

7KH IROORZLQJ DFWLYLWLHV ZDWKH ,QG XVWU\ DVVRF
x 0DSSLQJ RI \$ZDUHQHV OHYHOV FXUUHQWO\ H[L
IRUZDUG EDVHG RQ TXHVWLRQQDLUH GLVWULEXV
x ,GHQWL\LQJ VKRUW OLVWLQJ SURWHFWDEOH S
D UHSRVLWRU\ RI WHFKQRORJLHV SURGXFWV
SURWHFWHG WKURXJK ,3V

6WHS

x ,GHQWL\LQJ VXLWDEOH ,3 3URWHFWLRQ IRU WKH
LGHQWLILHG
x 6XJJHVWLQJ PHFKDQLVPV IRU SURWHFWLRQ RI LQ
x 'HYHORSLQJ D 5RDG 0DS IRU ,3 0DQDJHPHQW 3UD
x +DQGKROGLQJ DFWLYLWLHV E\ ,QG XVWU\ \$VV
DSSOLFDWLRQV

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% 2EMHFWLYHV

7KH ,QWHOOFWDXDO 3URSHUW\ 2IILFH KDV VHOHFWHOC
EHLQJ VXSSRUWHG E\ 'HSDUWPHQW RI ,QG XVWULDO
,QG XVWULDO ,QIUDVWUXFWXUH 8SJUDGDWLRQ 6FKHF
\$ZDUHQHV SURJUDPV 7KH RYHUDOO REMHFWLYH RI
JLYH ERWK DGYLVRU\ DQG SURWHFWLRQ VHU\LFHV 7
SURJUDPV DUH PHQWLRQHGH EHORZ

x 7R VHQVLWLJH WKH FOXVWHUV DERXW ,QWHOOF
SURWHFWLRQ

x 7R LGHQWLI\ SURWHFWDEOH LQQRYDWLRQV

x 7R VXJJHVV VWHSV IRU WUDQVIRUPLQJ LQQRYDW

x 7R XVH ,3 LQIRUPDWLRQ SDUWLFXODUO\ UHODW
IXUWKHU UHVHDFK DQG GHYHORSPHQW LQ GH
SURFHVV

x 8WLOLJH WKH ,3 LQIRUPDWLRQ LQ WKHLU EXVLQH

& 3ODFH 9HQXH

&RQIHGHUWLRQ RI ,QGLDQ ,QG XVWU\ &,, LQ FR
3URSHUW\ 5LJKWV RIILFH ,QGLD XQGHU 'HSDUWPH
3URPRWLRQ ',33 DQG ZLWK VXSSRUW RI \$PEDV
7KLUXPDJLVDL 5LUXPXGLYDNNDP &KHQQDL FRQG
\$ZDUHQHV 6HVVLHQ RQ ,QWHOOFHWXDO 3URSHUW\
2FW DW \$,(0\$ 7HFKQRORJ\ &HQWUH \$PEDWWXU

7KH DXWR FRPSRQHQW FOXVWHU DW &KHQQDL LV D
OLQNHG WR WKH HVWDEOLVKHG RI WKH ODUJHU LQ
*URXS 5DQH *URXS DQG \$PDOJDPDWLRQ JURXS RI FR
ZLWK WKH HVWDEOLVKPHQW RI VRPH XQLWV WKHQ JU
OHYHO RI VRSKLWLFDPDWLRQ DQG SURGXFW UHQJH RI
SRXODUO\ NQRZQ DV +XE RI DXWRPRELOH LQG XVWU
,QGLD

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'HWDLOHG 3URJUDPPH

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		:HOFRPH \$GGU 6KUL 7 9 0DGKXVXGKDQ \$VVLVWDQW &RQWUROOH 3DWHQWVWLJQV ,QWHOOFHFWXDO 3URSHU
		\$GGUHV 6KUL 6LYDJQDQDP 6 \$GGLWLRQDO LQGXVWUL OLQLVW60(RI&KHQQDL
		.H\QRWH \$GGU 0U 6 6ULQLYDVDQ)RUPHU 'LUHFWRU &KHQQDL \$XWR &OXVWH \$XWR &OXVWHU \$VVRFLD
		9RWH RI 7KDQ 0V 6RZPLD &, ,
–	+ U	7HFKQLFDO 6HVVLRLQ , Introduction to IPR: A Basic Overview of all forms of Intellectual Property Rights & its importance with examples. x Why IPR x IPR and Business Competitiveness x Patents x Copyrights x Trademarks & Service marks x Geographical Indicators x Industrial Designs x Trade Secrets x Plant Varieties x Semi Conductor Integrated Circuits lay out designs 'LIIHUHQW DVSHFWVRI 7HFKQLFDO DUN UH VSHFLILF WR DXWR &OXVWHU ZLWK WK
		6SHDNHU 6KUL 7 9 0DGKXVXGKDQ \$VVLVWDQW &RQWUROO 3DWHQWV 'HVLJQV ,QWHOOFHFWXDO 3URSH
–	+ U	/XQK

–	+ U	7 H F K Q L F D O 6 H V V L R Q , ,	
		¾ Introduction to technology Transfer, IP Licensing, IP Valuation & IP Audit ¾ IP Commercialisation ¾ Case Studies on IP Commercialisation & Appreciation of Revenue Models ¾ Case studies on IP Management	0 V 6 Z D S Q D 6 X Q G D U & (2 , 3 ' R P H
		4 \$ V H V V L R Q	
–	+ U	7 H F K Q L F D O 6 H V V L R Q , , ,	
		¾ Introduction to Patents - o Specific issues relate to Patents for auto products - o Case studies ¾ Different aspects of Designs - o Specific issues relate to Design for auto product - o Case studies ¾ Different aspects of Trademarks - o Specific issues relate to Design for auto product - o Case studies	
		6 S H D N H U	0 U 0 6 % K D U D W K 3 D U W Q H U \$ Q D Q G D Q G \$ Q D Q G
			0 U 9 1 D W D U D M D Q ' H S X W \ 5 H J L V W H U 7 U D G H P D U N R I I L F H & K I
			5 H S U H V H Q W D W L Y H I U R F
		4 \$	
–	+ U	7 H F K Q L F D O 6 H V V L R Q , 9 , Q W H U D F W L Y H	
–	+ U	7 H F K Q L F D O 6 H V V L R Q , 9 , Q W H U D F W L Y H	
		D J D L Q V W , Q I U L Q J H P H Q W & D V H / D Z V	
		6 S H D N H U V	0 U 0 6 % K D U D W K 3 D U W Q H U \$ Q D Q G D Q G \$ Q D Q G
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6LYDJQDQDP 6
\$GGLWLRQDO LQG XVWULDO \$GYLVHU
0LQLVWU\ RI 060(&KHQQDL

6LYDJQDQDP 6 GLG KLV % (0HFKDQLFDO IURP *XL
DQG SRVW JUDGXDWLRQ 0%\$ 6SHFLDOL]DWLRQ LQ
/HDG \$XGLWRU

([SHULHQFH
x \HDUV LQ +LQG XVWDQ 0DFKLQH 7RROV (UQD
'HYHORSPHQW (QJLQHUU

x \HDUV DV 7HFKQLFDO 2IILFHU LQ &,3(7 %KXYDQH

x \HDUV LQ WKH VHUYLFH RI VPDOO VFDOH LQG XV
\$GGLWLRQDO ,QG XVWULDO \$GYLVHU 060('HYHORS
,QG XVULHV 6HUYLFH ,QVWLWXWH &KHQQDL XQG
0HGLXP (QWHUSULVHV *RYHUQPHQW RI ,QGLD

7 9 0DGKXVXGKDQ
\$VVLVWDQW &RQWUROOHU RI 3DWHQWV 'HV
,QWHOOHFWXDO 3URSHUW\ 5LJKW RIILFH ,Q

+H KDV D 3RVW JUDGXDWLRQ GHJUHH LQ 0 6F ,QG XVW
GLVWLQFWLRQ IURP 5HJLRQDO (QJLQHHLQJ &ROOHJH ZK
,QVWLWXWH RI 7HFKQRORJ\ :DUDQJDO RI \$QGKUD 3UDGH
&HQWUDO *RYHUQPHQW RIILFH KH MRLQHG DV ([DPLQHU
DQG ODWHU ZDV SURPRWHG WR WKH SRVW RI \$VVLVWDQW

+LV UHVSRQVLELOLWLHV LQ WKH SUHVHQW RIILFH LV WR
SDWHQWV DQG GHVLJQV DQG GHFLGHV HLWKHU WKH JU
DSSOLFDQW +LV DUHD RI VSHFLDOL]DWLRQ LV &KHPLVWU
MXGLFLDO DXWKRULW\ KH FRQGXFVV 3UH JUDQW DQG
GHFLVLRQV DFFRUGLQJO\

3DUWLFLSDWHG LQ WKH VHPLQDUV DQG V\PSRVLXPV F
3URSHUW\ 2UJDQL]DWLRQ >:,32@ DW YDULRXV ORFDWLRO
,WDO\ +H KDV EHHQ LQYROYHG LQ YDULRXV SDWHQW D
OHFWXUHV ZLWK UHVSHFW WR ,QWHOOHFWXDO 3URSHUW
HGXFDWLRQDO LQVWLWXWLRQV OLNH HQJLQHHLQJ FROO
DQG 1\$/6\$5 \$OVR KH KDV SDUWLFLSDWHG LQ GHOLE
2UJDQL]DWLRQV OLNH 7(5, DQG &(17\$' +H ZDV DOVR E
OHFWXUHV LQ %LR LQ %DQJODRUH 6XPPLW

+H KDG SDUWLFLSDWHG LQ 6WDQGDUG &RPPLWWHH R
KHDGTXDUWHUV *HQHYD DV D ,QGLDQ 'HOHJDWH WR GLV
RQ WKH KDUPRQL]DWLRQ RI SDWHQW JUDQWLQJ V\VWHP

0 6 %KDUDWK
3DUWQHU
\$QDQG DQG \$QDQG

%KDUDWK D SDUWQHU DW \$QDQG DQG \$QDQG ,QGLD OHD
VLQFH -XQH

+LV SUDFWLFH LQFOXGHV ,QWHOOFWXDO 3URSHUW\ O
RSSRVLWLRQ FDQFHOODWLRQ DQG RWKHU UHODWHG SUR
,QWHOOFWXDO 3URSHUW\ \$SSHODWH %RDUG ,3\$% &
,QGLFDWLRQV 2IILFH +H KDV EHHQ WKH OHDG FRXQVHO
DQG RULJLQDO SURFHGHGLQJV EHIRUH WKH +LJK &RXUWV
ZLWK VHYHUDO UHSRUWHG GHFLVLRQV WR KLV FUHGHQW

2YHU WKH \HDUV KH KDV DGYLVHG DQG PDQDJHG ODUJH
PXOWLQDWLRQDOV LQ WKH ILHOG RI WHOHFRPPXQLFD
FRPSDQLHV HQJDJHG LQ GLYHUVH LQGXVWULHV LQFOX
WREDDFR EUHZLQJ DXWRPRELOH DQG FRQVXPXUJ JRRGV
DVVLJQPHQWV OLFHQVLQJ FR H[LVWHQFH IUDQFKLVH
LQWHOOFWXDO SURSHUW\

+H KDV EHHQ D VSHDNHU DW DQG RUJDQL]HG YDULRXV Q
OLVW DWWDFKHG

\$GPLWV %B &RXQFLO RI ,QGLD
'HOKL +LJK &RXUW %DU \$VVRFLDWLRQV
ODGUDV %DU \$VVRFLDWLRQ

(GXFDWLRQ HNDQDQGD &ROOHJH ODGUDV 8QLYHUVLW\ %
6\PELRVLV /DZ &ROOHJH 3XQH 8QLYHUVLW\ // % 5D

5HFRJQLW\ KDQWK KDV EHHQ HQGRUVHG E\ \$VLD /DZ IR
LGHQWLILQJ KLP DV RQH RI WKH OHDGLQJ FRXQVHOV IRU

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/LVW RI 5HJLVWHUHG 3DUWLFL

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&OXVWHU OHYHO ,QWHOOFWXDO 3URSHU &OXVWHU \$XWR &OXVWHU 2FWREHU \$XWRHQQVWH			
6 1R	1DPH	'HVLJQDWL	&RPSDQ\
	0 0RKDPPHG	+HDG5	9DQMDH 6DOHV 3
	7 6RXQGDU	6U0DQDJHU 2S	17& (QJLQHHLQ
	6 \$UDYLQGD		-DVVRQV 'LDPRQ
	3 9LMD\NXP		(QSUR (QJLQHHL
	3 + *RGDYDU	3DUWQH	(QSUR (QJLQHHL
	9 ' .LUXEKD	'LUHFWRU	\$OPLJKW 3YW /W
	. 5DMHVK		(PHUVRQ SURFHV
	5 9LVZDVZDU		7HFKQR &RQFHSV
	5 3UDVDQQD		&UHDWLYH)RUJL
	& %DEX		9DDQL (QWHUSUL
	9 3DUWKVDU	0DQDJLQJ 'LUH	:DYH &XHQW
	9 . -DLQ	'LUHFWRU	,QVWUXPHQWV
	& 6KLYD .XP		
	3 6 5DPHVK	0DQDJLQJ 'LUH	\$LUIORZ (QJLQHHL
	6 9LMD\DVHM	\$GPLQ	7,(0\$
	7 .ULVKQDSS		7 5 (QJLQHHLQJ (QWHUSULVHV
	%5DQJD 5DM	'LYLVLRQDO 0	1LVVDQ \$VKRNOH /WG
	9 6DUDGKD		5 * %URQJH 3YW
	5 &KDQGUDV	0DQDJHU	\$VKRN /H\ODQG
	6RWKHDK		5 * %URQJH 0)* /V
	* *XUXUDMD	0DQDJH	* . 6RQV (QJLQHHL (QWHUSULVHV
	/ 9HQXJRSD	0DQDJLQJ 'LUH	9DDVDQ(QHULQJ
	6 6KDQPXJD	0DQDJLQJ 3DU	,QGLD ,QG XVUL
	6 6LYDJQDQ		

	5 'LQHVK .X		060(
	6 3 6DKX		7KH 1HZ ,QGLDQ
	5 %DODPXUX		3XOVDUV
	1 9 5REHUW		:RUNVWXG\ +\GUI
	5 .XPDU		&KHQQDL ,QG XVW
	0 ' \$PDUQDV		\$ - (QWHUSULHV
	*RXWKD 0		0HFKFL &DGG (Q
	6ULQLYDVDC	0DQDJHU	\$,)0\$
	6 *RXWKDPD	'LUHFWRU	3ODVWLF SURFHV
	6 6ULQLYDV	'LUHFWRU	6NDQGLD &XWWL

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(YDXDWLRQ RI WKH SURJUDPPH ZDV GRQH RQ WKH IROORZ

- x 2YHUDOO 3URJUDPPH (YDOXDWLRQ
- x 3URJUDPPH 6WUXFWXUH
- x 4XDOLW\ RI 6SDUNHUV
- x &RQWHQW RI 3UHVHQWDWLRQ
- x /HYHO RI /HQUQLQJ

)HHGEDFN IURP 3DUWLFLSDQWV

7KH SURJUDPPH ZDV DEVROXWHO\ XVHIXO DQG DOO WKH
FRQWULEXWLRQ DQG SUHVHQWDWLRQ

*HQHUDO)HHGEDFN

- x 7KH SDUWLFLSDQWV FRXOG KDYH EHHQ PRUH
- x 7KH OHYHO RI DZDUHQHVV DPRQJWV WKH SDUWLFLSD
- x 3UH HYHQW VXUYH\ LV UHTXLUHG IRU VXFH HYHQWV

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STRATEGY

*At the Intersection
of the Lab the Law
and the Market*

**Designed for
commercialisation**

RESEARCH
SUPPORT

PROTECTION

Dedicated to
Building IPled
value



Swapna Sundar started IP DOME with the simple idea that IP to be relevant in the market and us people must be tuned to market relevance from the moment of its conception.

At IP DOME we work at the intersection of the lab, the law and the market. We provide input to R&D : the conception stage and handhold R&D teams through the process of market innovation, and towards protectable IP. We place strong emphasis on studying approaching transitions in technology paradigms and aim to achieve innovations that have a long span of life, rather than short span innovations, that sometimes become obsolete even before the IP protection processes are fully implementable. In consonance with our vision of operating 'at the intersection of the law, the lab and the rapidly evolving market.

IP DOME enables companies, technology businesses, inventors and research institutions, to identify and protect their intellectual creations and also facilitates refinement, production design and monetisation of IP to their increase profitability. Our team relies on creative engineering of the business to solve issues of clients and stakeholders.

We have brought together the best talent in Business Strategy, IP Services and Legal Strategy, to provide clients with a seamless integration of the three basic support services to achieve business success in entrepreneurship. Our technical team provides class patent and IP search & analysis, thereby reducing risks of challenges to commercialisation by competition. A high competence team of IP professionals, valuers, academics and disruptive thinkers form the IP DOME think tank predicting future tech transitions.

With a Foreword by Justice V. Ramasubramanian,
Madras High Court

Smart Book as it has several tips and applications that match a smartphone. Swapna Sundar has filled the vacuum by introducing a smart guide that would serve both the scientific community and the legal fraternity and would bridge

0V 6ZDSQD 6XQGDU KDV FRPH Z
FRPSLODWLRQ ZLWK WKLV SXEC
ZRUNERRN ZLOO EH VSHFLILFDC
RYHUDOO ,3 SURFHVVHV DQG SU
GHYHORSPHQW HQYLURQPHQW

-Dr. Anindya Sircar
IP Head, Infosys



R. Raghavendra Ravi, Partner

Mr. Ravi has about 30 years of Experience as a Management Consultant & Entrepreneur. Ravi has worked on Senior Position with companies like Godrej Soaps Ltd., Mumbai, Pond's India Ltd., Chennai (Which later merged with Hindustan Lever Ltd.), Core Parenterals Ltd., Ahmedabad and BTP India Ltd. Chennai. He has held very senior positions in Industry - CEO, Profit Centre head etc. and has worked in diverse functional areas like manufacturing, Factory management, Exports, Industrial Marketing, Business Development, New Product Development etc.

He currently advises midsized companies to help them achieve growth and profitability. Essentially he develops a long term plan for companies and helps them implement the plan.

Prof. Dr. V.C.Vivekanandan, Honorary Advisor

Prof. Vivek holds a PhD in IPR and currently is a Chair Professor of IP of the Ministry of Human Resources Development at NALSAR University of Law. He served as the Dean of the Rajiv Gandhi School of IP Law at IIT Kharagpur in 2009-10. He is also an adjunct visiting professor with University of Buffalo Business School, New York and an advisory member of the Asia Pacific region for Internet Corporation of Assigned Names & Numbers (ICANN). He

specializes in IPR, Internet & law & WTO studies. He is also the advisory member of the Patent Office of India and member of the ethics committee of Venture Capital Fund. He has several International publications to his credit and is a resource person to TIFAC, ASCI, CII, and Indian School of Business, NRDC, FICCI and other important National Level Organizations.

P.V.S. Giridhar, Legal Strategist

P.V.S. Giridhar & Sai Associates, Advocates

Giridhar and Sai Associates has four partners, 10 associate lawyers, a strong para-legal and secretarial team. The firm, which specialises in Corporate and Civil law has associates and partners across India, and in several foreign countries. Giridhar specialises in Cross-border contracts, licensing contracts, Technology transfer, IP strategy, and Arbitration. Giridhar is also an accredited Mediator on the panel of the Madras High Court, and has several successful mediations to his credit. His firm has also diversified into cyber law including data protection and privacy issues on the web space, e-commerce and IT due diligence.



Service Model

Flexible, Focussed and Agile

At IP DOME we are aware that every client has specific IP needs that require customised, flexible, often multidisciplinary solutions. We also realise that many companies need their IP strategists to provide market expertise, domain specific technology expertise and legal expertise combined with strong strategic business innovation support to succeed in the rapidly evolving market where they compete. We aim to support companies to achieve their business goals by providing needed assistance at the R&D phase, IP development and protection and commercialisation of IP.

Our response time is shorter than that of a typical law firm as we utilise in-house techno-commercial service; and unlike most IP firms, our close association with our Legal partners and strategists ensures that there is a seamless integration of the entire IP pipeline.

Advantages of our Service Model:

- Commercial and technical input at the R&D phase ensure that the IP is market relevant
- Domain specific IP services such as searching, mapping and landscaping to ensure that IP developed is patentable in the jurisdictions where the market is identified
- Strategic legal protection aimed at value enhancement anticipating profitable collaboration and market leadership
- Facilitation services for incubation, grants for refinement and product design, commercialisation and monetisation
- Seamless legal interface to ensure confidentiality and quick response in case of legal issues arising from infringement or freedom to operate
 - Claim analysis and litigation support
 - Licensing contracts and other legal instruments

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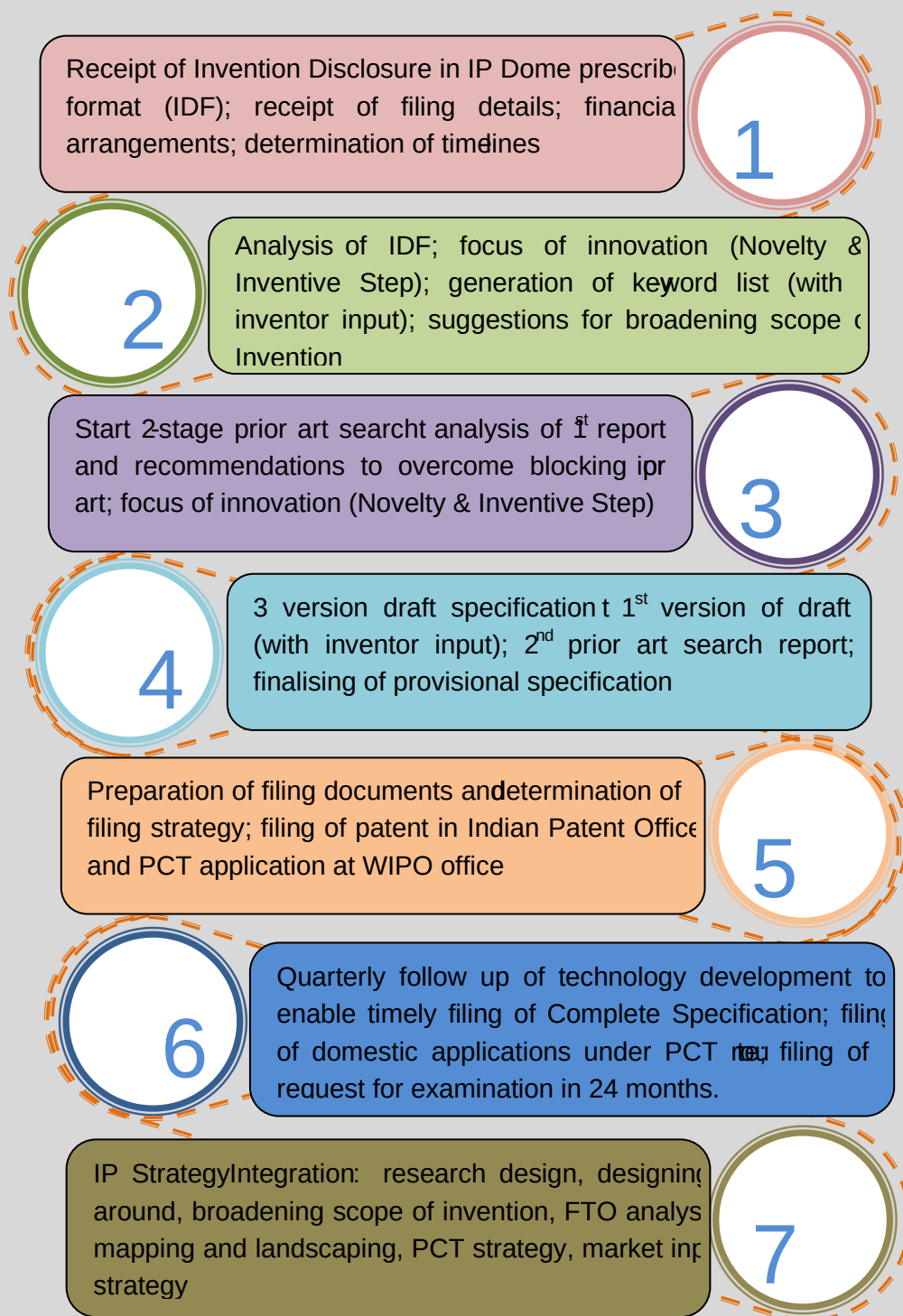
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PATENT PROCESS CHA

Global and Comprehensive Risk Mitigation



The Legal Department has had the pleasure of working with IP DOME and the set of experienced and well qualified Lawyers and Engineers. It is a focused and flexible team of experts in various technological domains as well as Intellectual Property Law (IP Law). This team also integrates a strong understanding of market reality.

Our observation has been that the response time for any query with them is short and they provide a well-researched and well documented strategy and analysis report. This helps us to make decisions confidently since the reports cover the gamut of the legal propositions, cautioning us on the practical difficulties that would arise, integrating solutions to the problems that would arise, while helping us make strategic decisions. They do not mislead on facts and have been extremely helpful in setting a process in place.

We wish them all the best.

Y : v I] X u U ' D
Legal, TAFE Pvt. Ltd.

IP DOME TRAINING

HOW WE TRAIN

Training in the use of IP increases effective use of in-house IP, due diligence in the use of 3rd party IP and innovation capacity among technical personnel



"Excellent seminar on IP in IT. The seminar was very informative. It helped me to educate my friends and colleagues on IP Protection and awareness."

- VinothKumar.J
Software Engineer, Accenture

"From the IP Dome seminar sponsored by UNIDO, I learnt that IP protection must be on several layers. In IT, IP protection must be strategically implemented as the technology may become obsolete very quickly. Customers will be willing to buy high quality well-branded goods even if the price is high. I thank IP Dome for the valuable learning."

- SenitaP.Cuffy,
Testing centre administrator, Liberia

SERVICES

Addressing the needs of technical, marketing and finance executives in the understanding and use of IP

- IP mining and auditing
- Innovation pipelining
- IP strategy consulting
- Technology trend analysis
- Infringement analysis
- Market FTO analysis
- IP protection and monetisation
- Facilitation services
- Corporate Training in IP

Experiential learning

Participation and interaction

Case Studies

Real -time problem solving

Implementation

Technology trend analysis

Hands-on tool training

Planning

Strategic innovation



CASE STUDIES

1.BrandStrategy:Consolidation of brand+ internal IP process

Profile of company:60 year old company, Heavy duty engineering vehicles and parts, annual turnover of US\$1.6Bn with presence all over India and export markets.

Issues: Consolidation of brand across the Indian subcontinent. The company has engaged in several collaborative designs and engineering projects with other Indian and foreign companies whose brands are being used. Older models are to be phased out while retaining the brand identity and customer trust.

Services rendered:Audit and rationalisation: unused and phased out trademarks were identified for non-renewal. Global brand trends were identified for the class of products. Brand strategy was recommended to ensure that the customers would recognise and associate new brands and models with the company's older models. Internal IP processes were set up to streamline the process of connecting brand identity to models and products in development.

2.Innovation and R&D StrategyIdentification of novel and inventive patentable elements

Profile of company:5-year old mid-sized consumer facing IT solutions provider in the areas of banking, tax and innovative customer servicing technologies

Issues:A new and interesting business process was developed for use by customers of banks. As business methods and software are per se not patentable in India and copyright was found not to be sufficient protection, a patent had to be sought in India and a few other geographies.

Services rendered:R&D Pipelining and IP led Product Development: the research team of the company is being trained in IP led product development. Our technological team was adapted by the company to differentiate their products through patentable technologies. An R&D strategy was recommended for developing patentable products from existing business processes. Domain specific innovation pipelines are created within the organisation to develop and monetise focused IP assets. Open source strategies designed to select open source technologies for building knockout products in the development life cycle of the company.

3.Technology Trend Analysis and MappingDeveloping competitive intelligence report and IP mining

Profile of company:10-year old web and video production company developing multimedia learning tools and testing programmes in the field of education and recruitment services.

Issues:Competitors technology intelligence research was proposed to examine the IP/market potential of the competitors in the industry. Strategic technology trend analysis and IP mining was required to restructure product development plans within the organisation.

Services rendered:A detailed study was conducted on the existing patent portfolio of the organisation and a taxonomy was developed from the relevant literature. Domain specific technology analysis was conducted and graphs were plotted to present various trends in the market. Patent-to-product search and analysis report was generated through patent mining which helped the company to understand the market potential of their IPs in various countries. Our technology mapping and competitive intelligence report has helped the company to understand the overall landscape and category wise patent trends.



Address

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No. 7/8 Flowers Road III Lane
Purusaiwalkam
Chennai 600084
Phone: 44-42116559

www.ipdome.in

Visit our Blog <http://newipcentury.blogspot.com/>

Guindy Office:

Altius, Regus Business Centre
Olympia Tech Park
SIDCO industrial Estate
Phone: 44-42994321

Strategy Consultation

Swapna Sundar

O

Mobile: 09841282396

Email: Swapna@ipdome.in

IP Consultation

K.S.Hariprasad

Manager tIP Operations

Mobile: 09841730474

Email: patentengineer@ipdome.in



Global IP Strategy

P E D R T N T E T M T V E

185

the

Top

- Manufacturing?
- Are manufacturing countries fortunate?
- Are cheap labour, government subsidies still attractive? GDP peak
- How to face the economic downturn?

- Research, design & services?
- Are innovative countries fortunate to be losing manufacturing jobs?
- Is manufacturing innovation attractive?
- Does innovation suffer during the downturn?

Manufacturing crisis in innovation

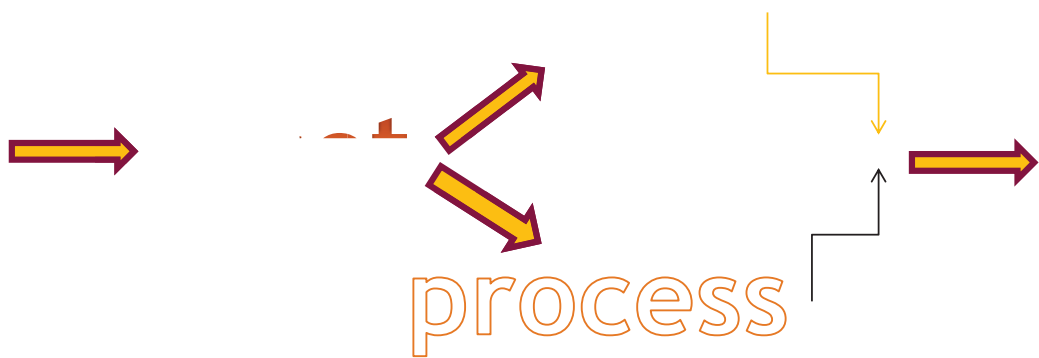
- Critical component of value chain, often B2B
- Foresight on sector disruptions
- Agile and modern
- Rapid productisation
- Sector sustainability
- Growth and employment
- Shri

\$4.4 bn in royalty payments in 2012-13: 20% of the \$22.4 bn FDI



Identity related

technologies



Protect ideas

Competitive Edge

Asset

Consumer
confidence

Non-linear
revenue



PATENT

GI

IP

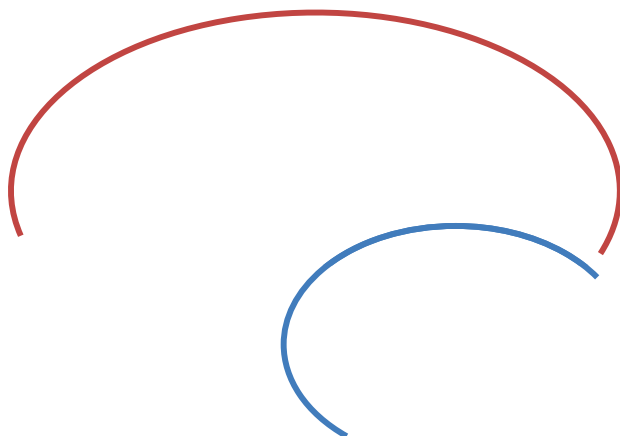
Protect ideas

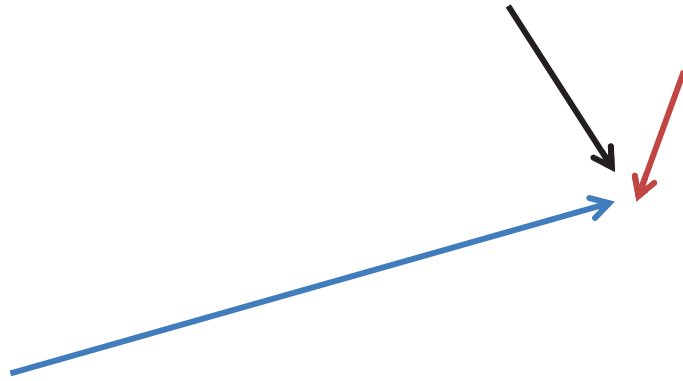
Competitive Edge

Asset

Consumer
confidence

Non-linear
revenue







Indian examples of closing the gap

lobal strategy

Need, Importance
& Benefit
of
Intellectual Property Rights
to Business

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Every Business has Intellectual Creation

- Product or service
- Technology or process
- Shape or look of product
- Brand or Logo
- Customers List
- Product Literature
- Website & Software Requirements

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Intellectual Property

- Property Created
- Through Intellectual Creation
- Is Afforded monopoly
- Limited or Perpetual under the
- Statutes or Equity

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Scope of Intellectual Property

- Why need IP ?
- Forms of IP
- Modes of Protection

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Forms of Intellectual Properties

- | | |
|-----------------------------|-----------------------------|
| • Trademarks: | Brands |
| • Patents: | Inventions |
| • Industrial Designs: | Aesthetics of Products |
| • Copyright: | Art, Books, Software, Music |
| • Geographical Indications: | Origins |
| • Trade Secrets: | Formulae, Know-How's |
| • Confidential Information: | Data such as client list |
| • Domain Name: | Website |

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Trademark : Relevance to Business

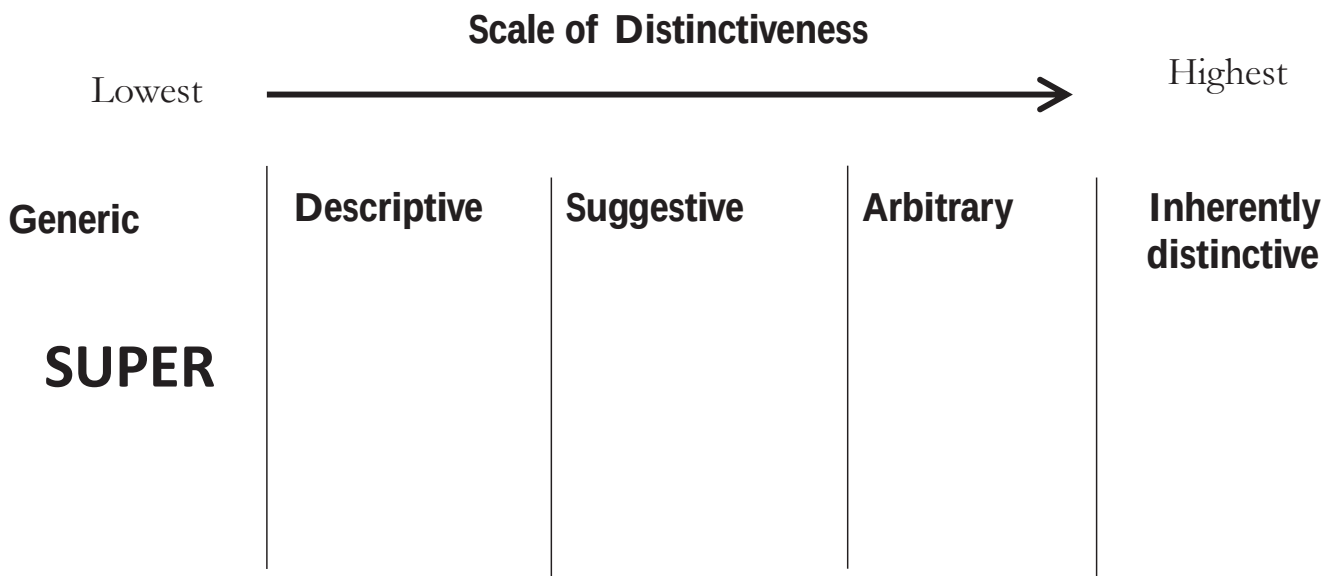
- Distinguishes SOURCE
- Image and Reputation
- Trust – Loyal Clientelle - Goodwill
- Marketing Tool

Trade mark

For Consumer – Brands Helps Choice in a Crowded Market Place



Choice of a Trademark



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Trademarks

For Business – Helps Positioning, Reach, Identity & Range of Products and Services

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Trademark Protection

- Exclusive Right to use the trademark
- Word or Logo or Shape or even sound
- Set of
 - goods or
 - services
- Perpetual maintenance
- Stop
 - Identical or Similar Marks for
 - Same or Different Set of Goods
- Peacefully Coexist

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PATENTS & DESIGNS IN INDIA

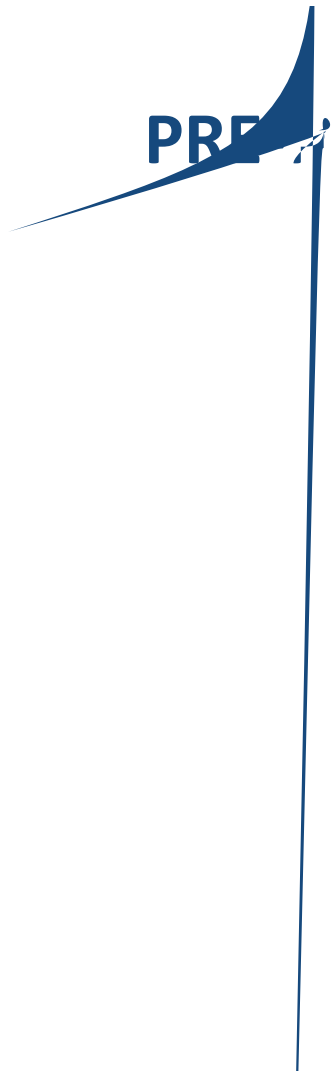
PATENTS GRANTED FOR THE APPLICATION OF A PRINCIPLE AND NOT FOR THE PRINCIPLE ITSELF

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PATENT : THE RIGHT

- **Prevent others from**
- Making, Using, Offering for sale, selling or importing the
 - Patented Product or
 - the product obtained directly by the Patented Process
 - For a period of 20 years
 - Renewal has to be filed annually

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- DES



- **Uses, Applications and Benefits:**

- Uses in the specific field,
- Other foreseen uses.



PATENT LAWS IN INDIA

- Patents Act

CASE STUDIES

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CASE STUDY 1



ROA

CASE STUDY 1

- This patent was one of the first automobile related patents ever granted.
- Inventor took inspiration from other, larger engines, and created this

CASE STUDY 1

- But there was just one holdout, a young manufacturer named **Henry Ford**.
- Selden sued him for patent infringement.
- New York judge ruled that the patent was valid in 1909. The ruling was overturned by the Court of Appeals two years later.

It was such a famous and controversial case that Ford went on to state that:

“Probably nothing so well advertised the Ford car and the Ford Motor Company as did this suit!”

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CASE STUDY 2

PAL-V

P



CASE STUDY 2

PAL-V

OBJECTIVE :

to provide

CASE STUDY 2

PAL-V

- **Estimated Price:** \$250,000
- **Powerplant:** 230-horsepower engine
- **On land:** maximum speed 112 mph; 28 mpg; range 750 miles
- **In the air:** cruising speed 68 mph; range 220-315 miles
- **To be launched : In the year**
2014!

© PAL-V / Spark design & innovation

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PRIOR ART SEARCHING

- Patents
- S



SEARCH AIDES-Examples

- Indian Patent Offi

DEVELOPING A PATENT STRATEGY

the appropriate
information

Additional information is needed for
the application

How to develop the information for
the application?

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DESIGNS

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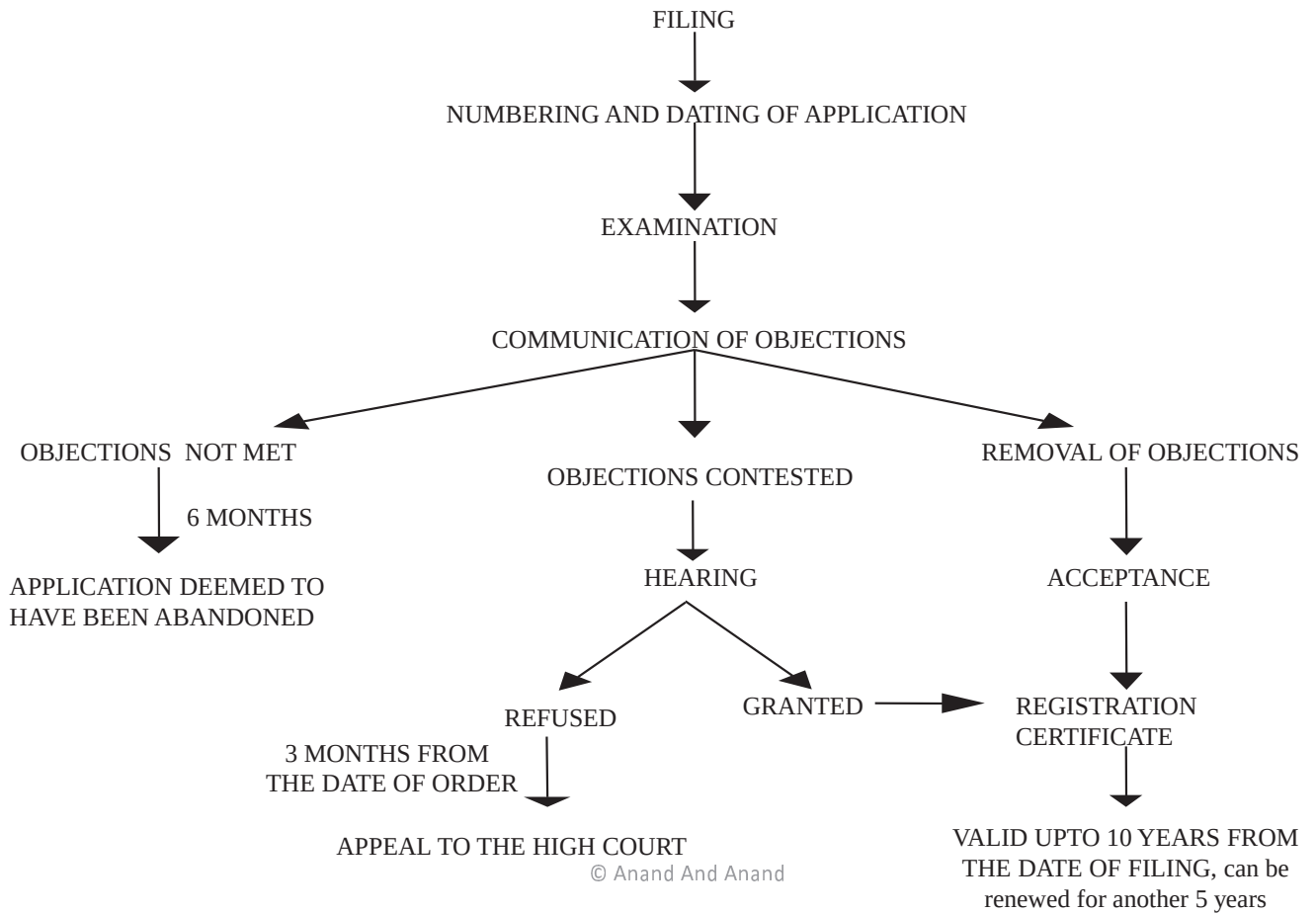
DESIGNS

- Appeal to and judged by the Eye
- Shape or Configura

DESIGN LAW IN INDIA

- The Designs Act, 2000
 - earlier – Patents and Designs Act, 1911
 - term – **10 + 5 years**
 - supplemented with Design Rules, 2001
with fee schedule, forms and List of
Classification
 - pr

DESIGN REGISRTATION PROCESS



Yamaha

Yamoto

Problem Areas

Features which are solely dictated by their functions are not registrable

Dispenser

Illustrations of Registered
Designs

AEROPLANE

Shape, Configuration and
Surface Pattern Protected
Under Registered Design No.
165581

AUTOMOBILE

Shape, Configuration and
Surface Pattern Protected
Under Registered Design No.
178089

Design Infringement Cases

Plaintiff's product

Registered design no. 194631

Date of Filing : 23.02.2004

Defendant's product

Registered design no. 198624

Date of Filing: 01.03.2005

Vikas Jain Vs Aftab Ahmad & others

Interim injunction granted in favour of Plaintiff

IRIZAR

Spanish Design
Regn



- Indian Design Regn

- Appl Filed without
Priority Claim

- Indian Regn invalid

- Launch prior to
Indian Application

- Rectification Filed

**SWARAJ
MAZDA**

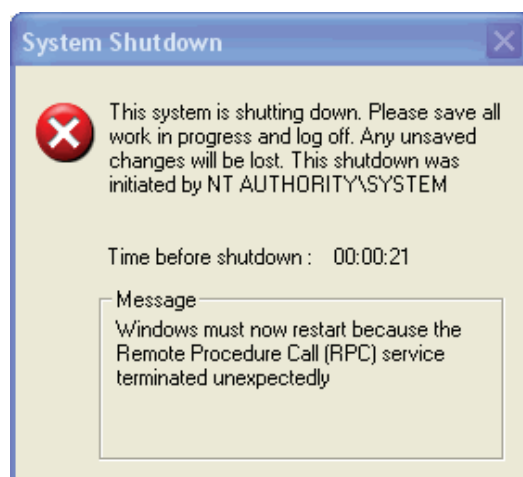
Copyright subsists in works such as

- **Literary** Book, Software, Database, Table, Compilation
- **Dramatic** Drama, Recitation, Choreophy, Ballet (Not a Film)
- **Musical** Music – different from song or words therein
- **Artistic** Painting, Sculpture, Drawing, Engraving, Photograph, Architecture, Artictic craftsmanship
- **Cinematograph Films**
- **Sound Recording**

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Software Requirements:

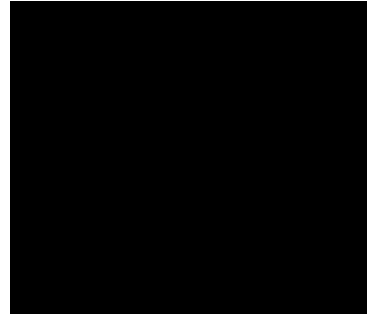
- Legal Software
- Open Source



Geographical Indication

- Community Right
- Indicates Origin or manufacture
- In a territory or region or locality
- Quality, reputation, other characteristics
- Essentially Attributable to
 - Geographical origin
 - Manufacture Goods
 - Production, Process, Preparation
 - Takes place in that area

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Confidential Information & Trade Secret

- Undisclosed information
 - Formulae, Know How
- No Statute
- Agreements
 - Fiduciary Duty – Employee
 - Tort

The Secret

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The Process

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The Product

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Swayamvar – The Case

New Business or Product

Product	protect as patent or copyright
Shape or look	protect as design or shape mark
Brand or Logo	protect as trademark
Customers List	protect as confidential information
Product Literature	protect as literary work copyright
Set up website	protect domain name

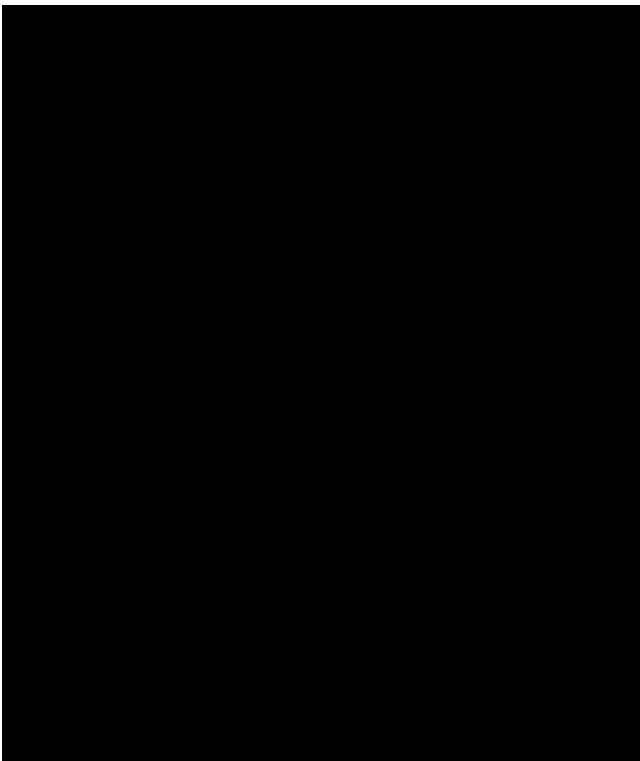
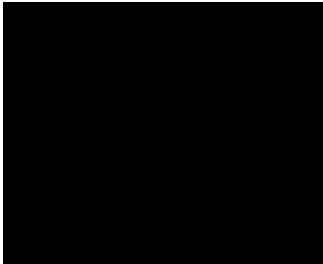
PROTECT

Search

- What? All proposed trademarks / designs /
patents, domain name etc
Register of Companies
- When? Pre-launch and preferably pre-filing
- Why? Avoid conflicts.
Avert Possible actions
Save Money & Reputation
Acquire conflict

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Freedom to Operate

- 
- Search
 - Analyze
 - Assess
 - Launch
- 

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IPR

The Great Wall – Right or Wrong

- Your Ideas & Assets
- Protect Them
- Mark your boundaries

- Others' ideas
- Don't Copy
- Improve or Modify
- Search

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IP Strategy

- Audit: Identification of IP Assets
- Protection: Register and Maintain
- Commercialisation: License, Franchise, Leverage
- Enforcement: Legal Action - violator

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IP Strategy impacts

08

TUESDAY, NOVEMBER 10, 2009, CHENNAI

NEW TREND

Indian firms get smart, see reward in brand valuation

By SWETA SRIRAM
CNBC-TV18

A few weeks ago, Gitanjali Gems Ltd had valued its four flagship brands—Nakshatra, Asmi, Gili and D'damas—at Rs1,500 crore. It is just one of the many Indian firms that are building brands and seeking professional help to value them. The International Financial Reporting Standards (IFRS), which demands that companies declare their brand value, is expected to be adopted in India in 2011. But that's just one reason why Indian firms are getting brand conscious. Indian businesses are realizing

questions are being raised as to what the return on investment for these huge expenses is. Currently, there are no answers to it, so chairmen especially find it a very compelling reason to hire us to evaluate."

Ramesh J. Thomas, president and chief knowledge officer of brand consultancy firm Equitor Management Consulting Pvt. Ltd, says chief executive officers (CEOs) and chief financial officers (CFOs) are getting increasingly involved in understanding the value of their brands. "They know the

value of the brand is the royalty that I am saving upon. But it's difficult to get reliable royalty rates from the public domain. So the more scientific method is the excess earning method. Basically, the business from the brand residing in its cash flow or earnings are base estimated and then from those profits, charges are taken

from tangible and intangible assets, which have a play in the business. So ultimately, I am left with profits that are attributed to the



Brand collateral: Future Group hopes the power of Big Bazaar's brand will help it get more out of prospective investors.

Commercialising IP

- Assignment: Outright Sale
- Licensing & Technology transfer
- Patent Pool
- Franchising
- Capital raising
- Security for credit
- Joint Venture or Collaboration

DERMATOLOGY SEGMENT

Glenmark signs licensing deal with US firm

The firm will receive \$5 mn from Medicis for developing a treatment for acne; to get royalty if product reaches market

By C.H. UNNIKRISHNAN
ch.unni@livemint.com

had in the past three years earned considerable revenue by licensing out new drugs to foreign drug makers for upfront payments that were followed by milestone payments.

However, two such deals in the recent past with Forest Laboratories Inc. and Eli Lilly and Co. faced setbacks as the

Enforcements of IP Rights

M. S. Bharath

Partner

Anand and Anand

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Levels of judicature



Supreme Court



High Court – Single Bench and Division Bench

Intellectual Property Appellate Board / District Court

Patents / Trademarks / Designs

Copyright/ Geographical Indication Offices

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Indian Courts

- Every State – District and High Court
- Apex Court – Supreme Court, New Delhi



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Offices

TRADEMARKS: Mumbai , New Delhi, Kolkata, Ahmedabad, Chennai

PATENTS: Mumbai , New Delhi, Kolkata, Chennai

DESIGNS: Kolkata with filing in Mumbai , New Delhi, Chennai

GEOGRAPHICAL INDICATION: Chennai

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Website of The Indian IP Office

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Intellectual Property Appellate Board IPAB

- Centralized Filing in Chennai (Madras):
- Floating Bench : Hears appeals from each of the 5 offices

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Intellectual Property Appellate Board IPAB

- Jurisdiction: Trademarks
 - Original Rectifications and those in infringement cases
 - Appellate – all appeals from Registrar's orders
 - Transferred Appeals from High Courts
- Patents: Rectifications & Appeals from some orders from Patent Office

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Enforcements Campaign



- Soft Touch Enforcement
- Hard Touch Enforcement

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Soft Touch Enforcement

- Educational Awareness Letters
- Cease & Desist Letters
- Caution Notices
- Oppositions, Rectifications, Cancellation

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Soft Touch Enforcement

Educational Awareness Letters

- Softest
- Potential Customer Base
- Awareness of rights held
- Contact Details of the relevant officer

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Soft Touch Enforcement

Cease & Desist Letters

- Stricter
- Identified Targets
- Small in size and violation
- Potential out of Court resolution

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Soft Touch Enforcement

Caution Notices

- Released in Newspaper: Local Language
- Normally used for a specific geography
- Identifies Rights and details protection sought
- Legal Action against violators

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Soft Touch Enforcement

- | | | |
|------------------|----------------------|--------------|
| • Oppositions | | • Trademarks |
| • Rectifications | RESPECTIVE
OFFICE | • Patents |
| • Cancellation | | • Designs |
| | | • GI's |

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Requisites & Remedies Available

Right	Registration Requisites	Infringmnt Civil	Passing off	Criminal Actions	Police Power to Seize Infringing Goods
Trademark	NO	YES	YES	YES	YES with TMR Opinion
PATENTS	YES	YES	NO	NO	NO
DESIGN	YES	YES	NO	NO	NO
COPYRIGHT	NO	YES	NO	YES	YES
GI	NO	YES	YES	YES	YES with GIO Opinion

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Hard Touch Enforcements

- Identification of Targets
- Legal Options
 - Civil Action
 - Criminal Action

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Hard Touch Enforcements

STEP 1: Identification of Targets

- Leads Identified by the Proprietor
- Investigation Agency



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Hard Touch Enforcements

Step 2: Legal Options: Civil Vs. Criminal

- Jurisdiction
- Impact
- Degree of culpability
- Profile of parties involved
- Volume and extent of piracy
- Assets of the accused/defendant
- Ability to obtain damages and legalization

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Hard Touch Enforcements

Step 2: Legal Options: Civil Vs. Criminal

- Availability of complainants and/or witnesses
- Degree to which investigators need to get involved
- Ease of exit from the proceedings
- Convenience to your company
- Impact your company wants to create in the market; and
- Costs involved.

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Hard Touch Enforcements

CIVIL ACTIONS

- Before a District or High Court (Preferred One)
 - Depends on the value of claim
 - Territory
- For infringement (or passing off)
- Apprehension of infringement (Quia Timet)
- Interim Injunctions
 - Ex-parte
 - Contested
- Permanent Injunctions & Decree OR **SETTLEMENT**

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Hard Touch Enforcements

CIVIL ACTIONS

- Anton Pillar: Search & Seizure
- John Doe: Unknown Defendants
- Mareva Freezing Assets
- Norwich Pharmacal: Compel to disclose info
- Lock Breaking Orders
- In Camera hearings
- Combining Plaintiffs

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Advantages of a Civil Action:

- Easier to **settle**;
- Ex-parte ad interim (Defendant's absence) **injunction** is granted in favor of the Plaintiff;
- The seized **goods are taken out of the commercial stream**:

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Advantages of a Civil Action:

- After Settlement / Decree if a Defendant is found infringing:
 - Contempt powers;
 - Execution Proceedings: Attach movable/immovable property of the infringer.
- Option of damages and legalization (software) are available under this route thereby fulfilling the objectives of the company.

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Criminal Action & Remedies

- Trademarks, Copyright and GI
- Imprisonment
- Fine of 2 Lakhs (To Govt)
- Cognizable Offences
- Seizure of Goods by Police

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Advantages of Criminal Action

- The goods are seized by the police;
- If the owner is at the premises at the time of the raid then he is arrested; and
- The deterrent effect on the market is huge.

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Disadvantages of Criminal Action

- Not compoundable
- Settling requires the High Court's intervention to quash proceedings or plea bargaining;
- It is necessary for the complainant to appear before the Court on each hearing and consequently expenses of a criminal action if not conducted in Delhi are large;

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Disadvantages of Criminal Action

- No injunction : Accused are not actually restrained in illegal activity at a future date;
- Coordination between the Police and the Public Prosecutor in each city
- Agencies knowledge in Intellectual Property matters is low
- State matter, control over the quality of evidence led is limited and this may jeopardize the action.

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CUSTOMS: Border Control

- Intellectual Property Rights (Imported Goods) Enforcement Rules 2007
- Rights Holder may register its IP with the Customs Authorities to safeguard itself from import of counterfeit goods.
- Customs may take *suo moto* action against import of counterfeits.
- Bonds and Indemnities.
-

IPR Imported Goods Enforcement Rules FIRST CASE

- Ramkumar: Madurai based inventor
- Patent for Dual Sim Phone: Simultaneous Use
- Registered with Customs
- Seizure of Goods and proceedings

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IPR Imported Goods Enforcement Rules FIRST CASE

- 5 Customs proceedings in Chennai & Mumbai
- Customs Officer held no infringement
- Order Challenged by writ before Madras HC
- Only Appeal lies before the Appellate Authority
not a writ

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GRA(E)Y MARKET: Parallel Imports

- IP Rights : Territorial
- Exhaustion of rights & Exhaustion of rights nationally
- Methods Adopted
 - Material Difference Tests
 - Difference in Ingredients
 - Difference in Quality Standards
 - Difference in Packaging

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Parallel Imports: Reported Cases

- *Bose Corp. vs. Mehta* [Suit No.337 of 2006]
 - Grey market import of music systems
 - False representation of product warranty
- *GE v. A. Khan* [Suit No.1283 of 2006]
 - False representation of being a dealer of dehumidifiers.
 - Erasing Serial No. and Model No. which help in tracking origin.
- *Samsung Case*
 - Grey market import of ink toners
 - Without guarantees and warranties

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Trade Secrets – Indian cases

- John Brady case AIR 1987 Delhi 372
 - No contract
 - Supplied defendant with technical material, specifications and drawings under conditions of confidentiality
 - Court
 - Held confidentiality implicit in the arrangement
 - Restrained defendant from manufacturing products with the said information

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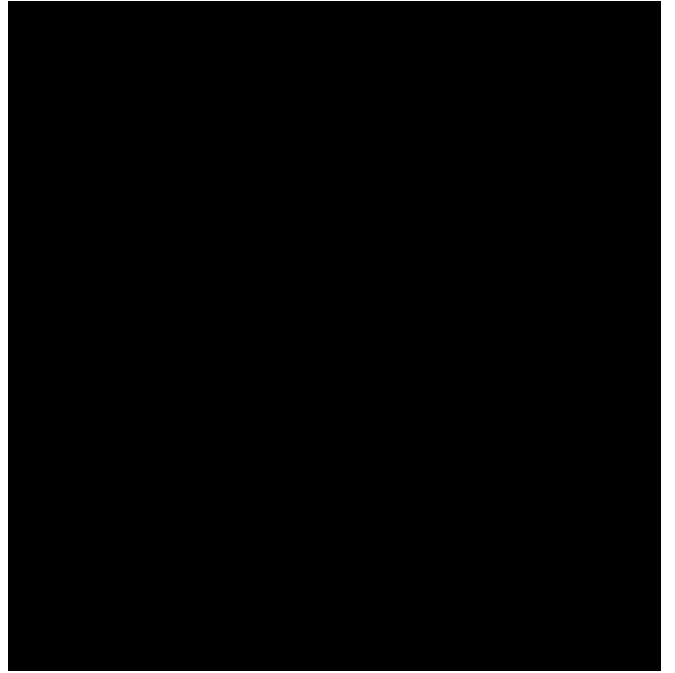
New Ideas

Swayamvar – The Case

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Don't Sleep: Act and now!

- Limitations
- Delay
- Laches
- Acquiescence



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