

**SYLLABUS FOR THREE MONTHS
INSTITUTIONAL TRAINING OF
EXAMINERS OF PATENTS & DESIGNS**

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Module 1

Introduction to the Intellectual Property Rights

WEEK /DAY	LECTURE	SUBJECTS	FACULTY
Role of IP in business and national growth			
Day 1	1	Ideas, innovation and market evolution	
	2	Market competition , development of monopoly rights and Intellectual Properties	
	3	Concept of property, proprietorial rights & governance policies	
	4	Significance of IP and rationale for protection - Role of IP in business	
Evolution and development of monopoly rights			
Day 2	1	Understanding growth of IP regimes and development of Patent Law	
	2	Paris convention, Berne Convention and other international treaties	
	3	GATT / WTO- framework for international trade	
	4	Agreement on Trade Related Aspects of Intellectual Property Rights- TRIPS	
Designs Law			
Day 3	1	Concepts, definitions and kinds of designs	
	2	Protection of Designs- legal provisions	
	3	Enforcement mechanisms	
	4	Case study discussions	
Trademarks			
Day 4	1	Trademark Law- concepts and kinds of marks	
	2	Trademark practice and procedure-classification & registration	
	3	Trademark Infringement and Passing off	
	4	Well known and non-conventional trademarks	
Copyrights			
Day 5	1	Copyright Law-Essentials and kinds	
	2	Ownership, authorship and assignment	



	3	Copyright Infringement and fair use doctrine	
	4	Related/ neighboring rights and management of copyrights	
Geographical Indications and cyberspace			
Day 6	1	Geographical indications- Concepts and features	
	2	Cyberspace IP , Semiconductors & Integrated Circuit Layout designs	
	3	Protection of Biodiversity, Traditional Knowledge & Plant Variety Protection (PVP), Trade secrets and Confidential Information	
	4	Exercises, group discussions and evaluation for the Week	

Module 2

Invention and patentability

WEEK /DAY	LECTURE	SUBJECTS	FACULTY
Week 1			
Indian Patent Law			
Day 1	1	Development of Indian Patent Law - Salient features	
	2	Important definitions, terms and concepts	
	3	Patent application- Applicant and kinds of application	
	4	Patent office, its branches and jurisdiction	
Inventions and subject matter			
Day 2	1	Patentable and non-patentable inventions- Concepts	
	2	Non patentable inventions u/s 3- general discussions with examples	
	3	Non patentable inventions u/s 3 & 4 and secrecy directions	
	4	Exercises for study and analysis	
Criteria of patentability – novelty			
Day 3	1	Patentability - Issues & requirements	
	2	Concept of Novelty, significance of priority and prior art	
	3	Anticipation and its exceptions [S 29 – 34]	
	4	Case study discussions with respect to ‘novelty criteria’	
Criteria of patentability – inventive step			
Day 4	1	Inventive step- Principles, methods & approaches	
	2	Determining inventive step - implications of technological advancement u/s 2(1) (ja) & (l)	
	3	Determining Inventive step - implications of economic significance u/s 2(1) (ja) & (l)	
	4	Case study discussions with respect to ‘inventive step’ criteria	
Criteria of patentability – inventive step & industrial applicability			
Day 5	1	Inventive step and ‘Obviousness’ with respect to ‘Persons Skilled In The Art’	

	2	Case study discussions	
	3	Determining Industrial Applicability	
	4	Case study discussions with respect to 'industrial applicability' criteria	
International arrangements			
Day 6	1	Paris Convention - convention countries, applications and practices	
	2	Patent Co-operation Treaty - importance, framework & practices	
	3	National phase entry and related legal provisions	
	4	Exercises, group discussions and evaluation for the week	
Week 2			
Framework of patent applications			
Day 1	1	Specification, its types and contents	
	2	Drawings/examples/biological material/sequences and their importance in specifications	
	3	Claims and types of claims	
	4	Important concepts - unity of invention, post/ ante-dating, conversion, cognate applications, etc	
Patent filing			
Day 2	1	Filing of an application- who can file and where to file?	
	2	Forms, fees and timelines for filing	
	3	Formal requirements of filing - assignment, POA, request for examination, etc	
	4	Practice session with respect to filing	
Publication requirements			
Day 3	1	Requirements & issues of publications	
	2	Publication: Contents and IP office journal	
	3	Exceptions to publications.	
	4	Case study discussions	
Examination provisions			
Day 4	1	Essentials of examination process – legal provisions	
	2	Examination procedure - Part 1	

	3	Examination procedure - Part 2	
	4	Report of Examiner to the Controller	
Grant of a patent			
Day 5	1	Grant of a Patent and its implications	
	2	Rights of patentee	
	3	Date and term of patent	
	4	Case study discussions/Films on understanding inventions	
PCT applications			
Day 6	1	International applications under PCT, procedure under Chapters 1 & 2 of WIPO Guidelines and formalities & permission u/s39 IPA	
	2	National phase applications – filing requirements	
	3	Concerned authorities, designated member states, Strasbourg treaty for International Patent Classification (IPC)	
	4	Exercises, group discussion and evaluation	

Module 3

Examination of patent applications

WEEK /DAY	LECTUR E	SUBJECTS	FACULTY
Week 1			
Role of Examiner & Controller			
Day 1	1	Role of examiner, hierarchy & reporting	
	2	Concept of prior art search	
	3	Examining applications and preparing examination reports (format)	
	4	Role, function and powers of Controller	
Reading patents & patent information			
Day 2	1	Understanding international coding (INID) and patent classification systems (IPC)	
	2	Reading patent documents- reading patents in India, (front page information, parts and structures)	
	3	Reading patents in other major jurisdictions including WIPO publications	
	4	Role of IPC in patent search	
Constituents of patent specifications [Examiners will be split into 4 specialty groups]			
Day 3	1	Understanding patent specifications: part 1- relevant IPO case studies	
	2	Understanding patent specifications : part 2- relevant IPO case studies	
	3	Understanding nature of patent claims 1- relevant IPO case studies	
	4	Understanding nature of patent claims 2- relevant IPO case studies	
Abstract & drawings			

Day 4	1	Significance of an abstract	
	2	Understanding drawings with respect to specifications	
	3	Biological materials/ working models/ engineering drawings / sequence listing	
	4	Practice session : study with examples	
Patent databases			
Day 5	1	Free/ paid patent databases and other search engines	
	2	Databases used by IPO	
	3	Non-patent literature database	
	4	Services provided by Patent Information System (PIS)	
Types of searches [Examiners will be split into 4 specialty groups]			
Day 6	1	Patentability search	
	2	State of the Art	
	3	Legal Status and Patent Family search	
	4	Practice sessions	
Week 2			
Search strategy			
Day 1	1	Formulating strategy in accordance with the restrictions	
	2	Formalities and requirements - Documents	
	3	Managing Data - mining and mapping	
	4	Case study exercises	
Practice session on paid databases [Examiners will be split into 2 specialty groups – Science & Technology]			
Day 2	1	Introduction to STN & Micropat	
	2	How to use - Practice session	
	3		
	4	Evaluation exercises	
Practice session on paid databases			

[Examiners will be split into 2 specialty groups – Science & Technology]			
Day 3	1	Introduction to Thomson Reuters & Delphion	
	2	How to use - Practice session	
	3		
	4	Evaluation exercises	
International searching & preliminary examining authority			
Day 4	1	ISA/IPEA & role of ISA/IPEA	
	2	Functions & correspondences by ISA/IPEA	
	3	India as ISA/IPEA	
	4	Forms, fees and Time limits for activities by ISA/IPEA	
International search & examination reports			
Day 5	1	Understanding International Search and Examination Reports (ISR/IPER)	
	2	Analysis of Search/Examination Reports	
	3	Preparing Search Reports	
	4	Preparing report on patentability	
International search & examination reports			
Day 6	1	Practice session on searches, determination of novelty, search strategy and reporting	
	2		
	3	Evaluation exercises	
	4	Evaluation exercises	
Week 3			
Process of examination			
Day 1	1	Examining Ordinary Patent Applications (Formal Examination)	
	2	Examining PCT & Convention Applications (Formal Examination)	
	3	Requirements of other documents:(General)	
	4	Practical exercises	
Examination of description [Examiners will be split into 4 specialty groups]			
Day 2	1-2	Understanding the state of art & subject matter of invention with reference to the graphic forms of	

		representation.	
	3-4	Exercises	
Examination of claims			
Day 3	1	Form and content of claims	
	2	Kinds of claims- Dependent/Independent, Markush, Swiss, etc and multiplicity of claims	
	3	Interpretation of claims	
	4	Exercises	
Technical examination: determining novelty [Examiners will be split into 2 specialty groups – Science & Technology]			
Day 4	1	Method of determining novelty	
	2	Anticipation and exceptions to the anticipation	
	3	Writing objections in respect of novelty & powers of controller in cases of anticipation.	
	4	Case study (from Patent Office) discussion with respect to novelty	
Technical examination: determining inventive step and non-obviousness [Examiners will be split into 2 specialty groups – Science & Technology]			
Day 5	1-2	Determining obviousness and person skilled in the art	
	3-4	Methods , principles and various approaches of determination of Inventive Step	
Practice session			
Day 6	1	Writing objections in examination report with respect to Inventive step	
	2	Case study (from Patent Office) discussion with respect to inventive step	
	3	Principles and methods of industrial applicability	
	4	Writing objections in examination report vis-à-vis industrial applicability	
Week 4			
Patent drafting			
Day 1	1-4	Drafting of claims [group wise study]	

Patent drafting			
Day 2	1-4	Drafting of specifications [group wise study]	
Patent drafting			
Day 3	1-4	Practice session for day 1	
Patent drafting			
Day 4	1-4	Practice session for day 2	
Infringement of patents			
Day 5	1	Concepts, jurisdiction & Burden of proof in cases of infringement	
	2	Exceptions to infringement	
	3	Exceptions to infringement	
	4	Defenses & innocent infringers	
Infringement of patents			
Day 6	1	Remedies and reliefs I	
	2	Remedies and reliefs II	
	3	Certificate of validity of specification for infringement	
	4	Case study discussions	
Week 5			
Examination reports - Practical [Examiners will be split into 4 specialty groups]			
Day 1	1-4	Framing an examination report with reference to Week 3.	
Examination reports – Practical [Examiners will be split into 4 specialty groups]			
Day 2	1-4	Framing an examination report with reference to Week 3	
Hearing procedures			
Day 3	1-2	Formalities & procedures of 'hearings' conducted by IPO.	
	3	Decision of Controller & consequences	
	4	Controller's Powers & remedies available to applicant.	
Amendments			

Day 4	1	Amendments before grant	
	2	Amendments after grant	
	3	Powers of Controller with respect to amendments	
	4	Practical exercises.	
Practice session			
Day 5	Case study discussions		
Evaluation session			
Day 6	Evaluation exercises		
Week 6 (Electronic processing of live files with discussions at the end of day) (Examination in electronic environment)			
Administrative electronic modules			
Day 1	1,2	Examination Module: Introduction to the electronic examination module , processing and submission of various documents/ notes by Examiner & Controller	
	3,4	Practice sessions	
Administrative electronic modules			
Day 2	1-4	Practice/ Evaluation sessions	
Other modules			
Day 3	1	RMID Module	
	3	GPM Module	
	4	Publication module	
	4	Register of Patents module, Cash module, Other modules	
Practice session			
Day 4	1-4	Practice session	
Evaluation session			
Day 5	Exams on syllabus covered.		
Evaluation session			
Day 6	Exams on syllabus covered.		

Module 4

Opposition, revocation and appeals

WEEK /DAY	LECTURE	SUBJECTS	FACULTY
Opposition & procedures			
Day 1	1	Pre-grant opposition-who can file, grounds of opposition and proceedings	
	2	Post –grant opposition- who can file & grounds of opposition and proceedings	
	3	Case studies – pre grant opposition – from Patent Office	
	4	Case studies – post grant opposition – from Patent Office	
IPAB			
Day 2	1-2	IPAB, its constitution, jurisdiction & scope	
	3-4	Study of judgments delivered by IPAB along with the main file of Patent / Application	
Examination of oppositions (Practical)			
Day 3	1-2	Pre grant – case study along with the live file	
	3-4	Post grant – case study along with the live file	
Revocation & procedures			
Day 4	1	Revocation – Concepts, jurisdiction, parties involved	
	2	Grounds of revocation Procedure, form, fees, time limits	
	3	Case study discussions	
	4	Case study discussions	
Appeals			
Day 5	1-2	Appeals against orders / decisions of the Controller	



		Power of Controller to review Appeals against decision of IPAB	
	3	Role of High Court in cases where a counter-claim for revocation on the ground of non-validity is taken.	
	4	Discussions	
Practice sessions & exams			
Day 6	1	Practice session on Syllabus covered	
	2	Exams on Syllabus covered	
	3	Practice session on Syllabus covered	
	4	Exams on Syllabus covered	

Module 5

Important proceedings related to patents

WEEK /DAY	LECTURE	SUBJECTS	FACULTY
Important issues with respect to patents			
Day 1	1	Introduction to working of patents and compulsory licenses	
	2	Procedure for dealing with applications u/s 84,85	
	3	Compulsory licenses in special cases and licensing of related patents	
	4	Licenses to operate as a deed and termination of licenses	
Restoration & maintenance			
Day 2	1	Restoration and maintenance of a patent	
	2	Use of inventions for Government purposes	
	3	Acquisition of inventions by the Central Government	
	4	Register of Patents	
Role of Patent Agents			
Day 3	1	Role of Patent agents	
	2	Offences and penalties under IPA	
	3	Case study discussions	
	4	Case study discussions	
IP management			
Day 4	1	IP incubation and asset identification	
	2	IP management	



	3	IP audit	
	4	IP valuation	
Technology transfer & licensing			
Day 5	1	Technology transfer and types of transfer	
	2	Assignment	
	3	Licensing in/ out and cross-licensing	
	4	Structuring a licensing agreement	
Technology transfer & licensing			
Day 6	1	Sale, gift and devolution of property	
	2	Surrender of patents	
	3	Case study discussions	
	4	Evaluation exercises	

Module 6

Administrative & service matters

WEEK /DAY	LECTURE	SUBJECTS	FACULTY
Constitutional Law			
Day 1	1	Introduction to Indian Constitution	
	2	Fundamental Rights- Article 12 to 32 and Judicial review	
	3	Right to Information Act, 2005-relevant provisions and issues for IPO	
	4	Organs of the Government and their working (legislature, executive & judiciary)	
Administrative Law			
Day 2	1	Principles of natural justice	
	2	State and delegated legislation	
	3	Government of India Service rules	
	4	Government of India Service rules	
Service rules			
Day 3	1	Leave rules & Conduct rules	
	2	Financial rules & vigilance related matters	
	3	Laws & rules protecting disadvantaged groups in India	
	4	Anti- dowry provisions and other service related matters	
Provisions of other laws with reference to Indian Patent Office			
Day 4	1	Interpretation of Statutes and General Clauses Act	

	2	Provisions of CPC, Limitation Act and Evidence Act	
	3	Alternate Dispute Resolution & laws of Arbitration and Conciliation	
	4	Offences and liabilities under the provisions of various legislations in India and cross-border issues	
Communication & soft skills			
Day 5	1	Communication skills - Legal writing and citation, formatting tips	
	2	Proficient use of language	
	3	Proof reading and effective presentation skills	
	4	Listening skills, group dynamics and team skills	
Communication & soft skills			
Day 6	1	Personality development	
	2	Understanding self - personality & Goal setting	
	3	Developing interpersonal communications skills	
	4	Managing time, stress & conflict (workshop)	
Closing ceremony will be preceded by moot hearing sessions (evaluation exercise), wherein the Examiners will act as Patent Agents as well as hearing officers.			