



INTELLECTUAL
PROPERTY **INDIA**
PATENTS/DESIGNS/
TRADE MARKS/
GEOGRAPHICAL
INDICATIONS



सत्यमेव जयते

Government of India
Office of The Controller General
Patents, Designs & Trade Marks
Boudhik Sampada Bhavan, First Floor,
Next to Antop Hill Post Office,
S. M. Road, Antop Hill,
Mumbai-400037, India.

(Tel): ☎ 022-24132735
☎ 022-24123311
(Fax): 022-24123322

(Email): cgoffice-mh@nic.in
(website): www.ipindia.nic.in

No.CG/PG/Circular/2009/223

Date: 26/5/09

CIRCULAR NO.10 OF 2009

Sub: Compliance of important legal formalities in prosecution of IP applications.

There are clear cut provisions in the IP laws administered by CGPDTM about who can prosecute the concerned IP application. But many instances have come to my notice that persons who are not authorised to prosecute the applications are doing the same in various IP offices. Needless to say that such practices are not only illegal but also create future litigation among the business entities.

The following instances need special mention:

1. *Bonafide* of the person prosecuting the application is not ascertained by the IP officials
2. Communications are entertained from persons not authorized by law.
3. Unauthorised persons being engaged for discussion and meeting by officials in their respective offices.
4. Applications are processed based on Power of Attorney executed by persons who are not duly authorised by the applicant/firm/company.

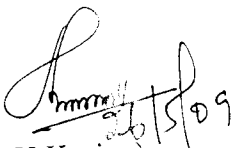
In order to ensure strict compliance with the legal requirement, the following instructions are issued.

- a) All the IP officials are hereby instructed to ensure the *bonafide* of the persons who prosecute the applications before processing.

Officials shall not cause any inconvenience to legitimate persons prosecuting the IP application.

- b) Officials are directed not to entertain any communication from unauthorized persons..
- c) It has to be ensured that the Power of Attorney accompanying the application is executed by authorised persons only.
- d) The Technical Head who is the public face of the concerned IP office or the officials attached to him only shall meet the general public or any other interested persons on general issues. Technical Heads may fix a 2 hrs duration on all working days for such meeting with general public.

The Technical Heads shall ensure strict compliance of this Circular in their respective offices.


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

1. All Technical Heads
Patents Office/Trade Marks Registry/GIR,
Mumbai/Delhi/Kolkata/Chennai/Ahmedabad- **for circulation among the officials of their respective offices**
2. Head of Office, IPO's
Mumbai/Delhi/Kolkata/Chennai/Ahmedabad –
3. Office copy
4. Guard file