

Convention and PCT filing in India

The following information and documents are required for filing a Convention application:

1. Complete specification that includes title, description, drawings, if any, claims and abstract in English. If the specification is in a language other than English, then a verified English translation is to be submitted. The complete specification may include claims that are in respect of development or addition to the invention in respect of which the application was made in the Convention country.
2. Name, address and nationality of the applicant(s) and the inventor(s).
3. Basic home application number(s), date(s) and name of the Convention Country. In case of multiple priorities the Convention application has to be made within 12 months of the date of filing of first such application.
4. Sequence listing (if applicable). This has to be submitted to the Indian Patent Office in electronic as well as print form.
5. Power of Authority (POA). We shall furnish the format.
6. Assignment.
7. Priority document and for non-English document, its verified English translation.
8. Form 3 (particulars of corresponding applications in other countries viz. country name, application number, filing date and present status)

To obtain a filing date we require items 1-3 and 4 if applicable. Item 5 should reach us within one month of filing in India and items 6-8 should reach us within 3 months of filing in India. Form 3 has to be submitted to the Patent Office within six months of filing in India.

The following information and documents are required for a PCT application:

1. The International application as filed under PCT is taken as complete specification that includes the title, description, claims, drawings, if any and abstract. If claims have been amended either under Chapter I and/or Chapter II of the PCT, such amended specification is considered as complete specification for filing in India. National phase entry in India is at 31 months from the date of priority.
2. If the international application is in a language other than English, then a verified English translation of the complete specification including title, description, claims (if amended, both as originally filed and amended) and abstract.
3. Sequence listing (if applicable). This has to be filed at the Indian Patent Office in electronic as well as in print form.
4. Power of Authority (POA). We shall furnish the format.

LALL & SETHI
ADVOCATES

DEHI • KATHMANDU • COLOMBO

INDIA

**PROCEDURE OF
REGISTRATION OF A
PATENT IN INDIA**

January 1, 2013

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5. Form 3 (particulars of corresponding applications in other countries viz. country name, application number, filing date and present status.
6. Deed of Assignment from Inventors to the Applicant, if the Applicant and the Inventor(s) are not the same. Alternatively, we file executed Form 1 (form for application for grant of patent), signed by the Inventor(s).

We require items 1-3 for National Phase entry in India. Item 4 should reach us within one month of the date of filing in India. Items 5-6 are to be filed at the Indian Patent Office within six months of filing in India and should reach us within the stipulated time.