

**DR. RAJENDRA PRASAD CENTRAL  
AGRICULTURAL UNIVERSITY, PUSA,  
SAMASTIPUR, BIHAR-848125**

**PATENT GRANTED**



**DIRECTORATE OF RESEARCH**

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## What is Patent:

*"According to the Indian Patents, Act 1970:*

**"Patent"** means a Patent for any **"Invention"** under Patents, Act 1970.

A Patent is a right given by the Government of a country for an invention. It gives right to stop others from copying the invention. Patent rights are given for a period of 20 years.

"Invention" means a new Product or Process involving an **"Inventive Step"** and **"Capable of Industrial Application"**.

**"Inventive Step"** means a feature of an invention that involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art.

**"Capable of Industrial Application"** means that the invention is capable of being made or used in industry."

In order to obtain a Patent Registration, certain prescribed eligibility criteria as per the Law need to be fulfilled.

### **The Basics of Patent Filing in India**

A Patent is one of the forms of Intellectual Property Rights (IPRs) that gives the owner exclusive right for restricting others from using, making, selling, offering for sale and importing of patented product or process of the patented invention or idea without his/her consent. This advantageous concept provides an edge to the patent holder to market their products and maximize revenue in monopoly. Many companies in today's market reality are opting for patent protection. If you have toiled hard mentally, physically, and invested monetarily to evolve an idea, an innovation or an invention, a Patent will safeguard your interests. Patent Grant Certificate is a reward and recognition from the government allowing sole monopoly to the Applicant for his/her creation for twenty years from the priority date of the invention.

Our university granted 10 patents in many fields of agriculture science. Details of all those are mentioned here.

## **Patent No - 01**

### **A Self-Propelled Rotary Power Paddy Weeder**

**Inventors and Co-Inventors:** Dr. Subhash Chandra, Dr. P. K. Pranav and Dr. Ambrish Kumar

**Patent No.:** 379307

**Date of Patent:** 13/10/2021

**Brief Information:** Self-propelled power paddy weeder is a new invented machine for its suitability to closed row crops like paddy, wheat, lentil etc. The machine has three rotors attached with four



blades and the rotor rotates in direction opposite to each other's at high speed so as to generate centrifugal force. Due

to the centrifugal force, the blades churn the soil and weed is uprooted completely from roots. Further the blades throw the soil on its both sides and as result of this an earthing effect is produced and soil gets deposited on the root of the plants. Due to the action of the blade, a furrow is created between two rows of plant, besides soil agitation in the root zone. The combine effect of weed

destruction and earthing up operation appears in form of higher yield of crop due to enhanced water and nutrient use efficiency.



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THE PATENT OFFICE  
पेटेंट प्रमाणपत्र  
PATENT CERTIFICATE  
(Rule 74 Of The Patents Rules)

क्रमांक : 033117707  
SL No :



पेटेंट सं./ Patent No. : 379307  
 आवेदन सं./ Application No. : 202031046495  
 प्रस्तुत करने की तारीख/ Date of Filing : 25/10/2020  
 पेटेंटी/ Patentee : THE DIRECTOR RESEARCH, DR. RAJENDRA PRASAD  
 CENTRAL AGRICULTURAL UNIVERSITY

प्रमाणित किया जाता है कि पेटेंटी को उपरोक्त आवेदन में प्लागवर्कडिड A SELF PROPELLED ROTARY POWER PADDY WEEDER, एकक जमिन्कार के लिए, पेटेंट अधिनियम, 1970 के उपबंधों के अनुसार आज तारीख 25th day of October 2020 से बीस वर्ष की अवधि के लिए पेटेंट अनुदान किया गया है।

It is hereby certified that a patent has been granted to the patentee for an invention entitled A SELF PROPELLED ROTARY POWER PADDY WEEDER, as disclosed in the above mentioned application for the term of 20 years from the 25th day of October 2020 in accordance with the provisions of the Patents Act, 1970.

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अनुदान की तारीख : 25/10/2021  
Date of Grant :

श्री प्रदीप  
Controller of Patent

टिप्पणी - इस पेटेंट के नवीकरण के लिए फीस, यदि इसे बनाए रखा जाना है, 25th day of October 2022 को और उसके बाद प्रत्येक वर्ष में इसे देना होगा।  
 Note - The fees for renewal of this patent, if it is to be maintained will fall / has fallen due on 25th day of October 2022 and on the same day in every year thereafter.

## Patent No - 02

### Hand Cranked Improved Chakki

**Inventors and Co-Inventors:** Dr. Usha Singh and Dr. Subhash Chandra

**Patent No.:** 3421101-001

**Date of Patent:** 28/03/2022

**Brief Information:** The machine is manually operated with provision of gap adjustment between two stones fitted for grinding the grains. The machine has specialty in respect of



movement of stones and works in the fashion similar to traditional chakki.

The machine is provided with a hopper, grain collector, feeding port, bevel gear assembly, frame and

product collecting pan. It can be operated in standing posture or by sitting on chair with less drudgery. The machine is very much suitable for preparation of dal, dalia, suji, aata, besan and sattu.

The quality of dal produced by the machine is excellent and the machine has potential for commercial use by the small farmers.



ORIGINAL

No. 110925

भारत सरकार  
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THE PATENT OFFICE

CERTIFICATE OF REGISTRATION OF DESIGN

Design No. 342101-001  
Date 07/04/2021 19:13:40  
Reciprocity Date\*  
Country

Certified that the design of which a copy is annexed hereto has been registered as of the number and date given above in class 31-00 in respect of the application of such design to HAND CRANKED IMPROVED CHAKKI in the name of THE DIRECTOR RESEARCH, DR. RAJENDRA PRASAD CENTRAL AGRICULTURAL UNIVERSITY, PUSA (SAMASTIPUR), BIHAR - 948125, INDIA

in pursuance of and subject to the provisions of the Designs Act, 2000 and the Designs Rules, 2001.



Controller General of Patents, Designs and Trade Marks

\*The reciprocity date (if any) which has been allowed and the name of the country.  
Copyright in the design will subsist for ten years from the date of Registration, and may under the terms of the Act and Rules, be extended for a further period of five years.  
This Certificate is not for use in legal proceedings or for obtaining registration abroad

ANJAN SEN,  
ANJAN SEN & ASSOCIATES, 47, CHAKRABERTIA  
ROAD (SOUTH), KOLKATA - 700 025

Date of Issue 28/03/2022 13:12:12

PATENTS | DESIGNS | TRADE MARKS  
CIVIL INDICATIONS

## Patent No - 03

### Hand Tool for Okra Harvesting with Collection Hopper

**Inventors and Co-Inventors:** Dr. P. K. Pranav, Dr Subhash Chandra and Dr. Ambrish Kumar

**Patent No.:** 415931

**Date of Patent:**29/12/2022

**Brief Information:** The developed hand tool facilitates complete touchless okra harvesting. The tool is handy and small having overall dimension

35 x 10 x 16 cm

and weight 272

g. The harvesting

capacity is at par

with the manual

harvesting about

15 kg/h with less human drudgery and energy requirement. The

touchless harvesting also enhances the shelf life of the harvested

okra which is important aspect for market sell. The smooth and

sharp cut of the okra in harvesting through tool is an added

advantage for better plant health and okra yield.





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सत्यमेव जयते

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THE PATENT OFFICE  
पेटेंट प्रमाणपत्र  
PATENT CERTIFICATE  
(Rule 24 of The Patents Rules)

क्रमांक : 033122531  
SL No :



पेटेंट सं. / Patent No. : 415931  
आवेदन सं. / Application No. : 202231011597  
प्रदत्त करने की तारीख / Date of Filing : 03/03/2022  
पेटेटी / Patentee : Dr. Rajendra Prasad Central Agricultural University  
आविष्कारक (जहां लागू हो) / Inventor(s) : 1.Dr. P. K. Pranav 2.Dr. Subhash Chandra 3.Dr. Ambrish Kumar

प्रमाणित किया जाता है कि पेटेटी को, उपरोक्त आवेदन में गवाहकृतित HAND TOOL FOR OKRA HARVESTING WITH COLLECTION HOPPER नामक आविष्कार के लिए, पेटेंट अधिनियम, 1970 के उपबंधों के अनुसार आज तारीख मार्च 2022 के तीसरे दिन से बीस वर्ष की अवधि के लिए पेटेंट अनुदान किया गया है।

It is hereby certified that a patent has been granted to the patentee for an invention entitled HAND TOOL FOR OKRA HARVESTING WITH COLLECTION HOPPER as disclosed in the above mentioned application for the term of 20 years from the 3<sup>rd</sup> day of March 2022 in accordance with the provisions of the Patents Act,1970.

INTELLECTUAL  
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अनुदान की तारीख : 29/12/2022  
Date of Grant :

*Dr. Jyoti*  
Controller of Patent

**ध्यान दें** - इस पेटेंट के नवीकरण के लिए शुल्क, यदि इसे बनाए रखा जाना है, मार्च 2024 के तीसरे दिन को और उसके पश्चात बीस वर्ष से अधिक दिन तक होगा।  
**Note** - The fees for renewal of this patent, if it is to be maintained will fall / has fallen due on 3<sup>rd</sup> day of March 2024 and on the same day in every year thereafter.

## Patent No - 04

### A Power-Driven Device for Shelling and Hulling of Grains

**Inventors and Co-Inventors:** Dr. Usha Singh & Dr. Subhash Chandra

**Patent No.:** 417406

**Date of Patent:** 10/01/2023

**Brief Information:** The machine is electrically operated. It is fitted with 1.0hp single phase motor for its compatibility of use in houses. The machine is comprised of a wooden mortar, metallic pestle, frame, hopper, blower and sieve arrangement so that shelling of grain and its cleaning may be completed by this machine. The mortar of machine is fitted with a pair of agitators that revolves at uniform speed inside the mortar with the help of ring gear so that thrust created by the pestle may get distributed uniformly over the grains for better output and satisfactory work. The capacity of machine is 8-10 kg/h in rice, 8-12 kg/h in wheat and 1.75-2.0 kg/h for barnyard millet. It has the ability to complete all works that are usually performed by the traditional Okhali. The machine was designed with aim to promote processing of millets in general and barnyard millet in specific. This machine is also suitable for removing skin and husk of wheat and paddy for preparation of suji, dalia and rice, respectively.





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THE PATENT OFFICE  
पेटेंट प्रमाणपत्र  
PATENT CERTIFICATE  
(Rule 74 of The Patents Rules)

क्रमांक : 033122698  
SL No :



पेटेंट सं. / Patent No.	:	417406
आवेदन सं. / Application No.	:	202231032082
प्रस्तुत करने की तारीख / Date of Filing	:	04/06/2022
पेटेंटी / Patentee	:	Dr. Rajendra Prasad Central Agricultural University
आविष्कारक (यहां तकू, जो) / Inventor(s)	:	1.Dr.Usha Singh 2.Dr. Subhash Chandra 3.Er. Abhishek Kumar Ansh

प्रमाणित किया जाता है कि पेटेंटी को, उपरोक्त आवेदन में वर्णित A power driven device for shelling and hulling of grains नामक आविष्कार के लिए, पेटेंट अधिनियम, 1970 के उपबंधों के अनुसार आज तारीख जून 2022 के चौथे दिन से बीस वर्ष की अवधि के लिए पेटेंट अनुदान किया गया है।

It is hereby certified that a patent has been granted to the patentee for an invention entitled A power driven device for shelling and hulling of grains as disclosed in the above mentioned application for the term of 20 years from the 4<sup>th</sup> day of June 2022 in accordance with the provisions of the Patents Act, 1970.

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अनुदान की तारीख  
Date of Grant : 10/01/2023

Controller of Patent

**ध्यान दें** - इस पेटेंट के संरक्षण के लिए बीस, बीस (20) वर्ष का अवधि है, जून 2024 के चौथे दिन से और उसके पचास साल तक से के चौथे दिन से प्रत्येक वर्ष।  
**Note.** - The term for survival of this patent, if it is to be maintained will fall / has fallen due on 4<sup>th</sup> day of June 2024 and on the same day in every year thereafter

**Patent No - 05**

**Mushroom Substrate Pasteurizer**

**Inventors and Co-Inventors:** Dr. Dayaram, Dr. Sudha Nandini  
and Dr. R.P.K. Ray

**Patent No.:** 358116-001

**Date of Patent:**19/01/2023

**Brief Information:** Till date mushroom substrate are treated by chemicals or hot water, both methods are not proper in terms of environment and health of human being. Hot water treatment is now days costly than other methods. By this method higher yield and quality mushroom are produced and cheaper to hot water.





ORIGINAL

सूत्र/No : 125892



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THE PATENT OFFICE

डिजाइन के पंजीकरण का प्रमाणपत्र  
CERTIFICATE OF REGISTRATION OF DESIGN

डिजाइन नं. / Design No.	:	358116-001
तारीख / Date	:	08/02/2022
परस्परिका तारीख / Reciprocity Date*	:	
देश / Country	:	

प्रमाणित किया जाता है कि संलग्न प्रती में वर्णित डिजाइन जो **MUSHROOM SUBSTRATE PASTEURIZER** से संबंधित है, का पंजीकरण, श्रेणी 07-05 में 1.Dr. Rajendra Prasad Central Agricultural University 2. Dr. Dayaram के नाम में उपयुक्त संख्या और तारीख में कर लिया गया है।

Certified that the design of which a copy is annexed hereto has been registered as of the number and date given above in class 07-05 in respect of the application of such design to **MUSHROOM SUBSTRATE PASTEURIZER** in the name of 1.Dr. Rajendra Prasad Central Agricultural University 2. Dr. Dayaram.

डिजाइन अधिनियम, 2000 तथा डिजाइन नियम, 2001 के अध्याधीन प्रावधानों के अनुसार है।

In pursuance of and subject to the provisions of the Designs Act, 2000 and the Designs Rules, 2001.

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निर्गम की तारीख/Date of Issue : 19/01/2023

सहायक निरीक्षक और कार्यालय निरीक्षक  
Controller General of Patents, Designs and Trade Marks

परस्परिका तारीख (यदि कोई भी) किसी अन्य देश के साथ या की नहीं है। डिजाइन का सार्वजनिक प्रदर्शन की तारीख से 10 वर्षों के लिए शेष है।  
\*The reciprocity date (if any) which has been allowed and the name of the country Copyright in the design will subsist for ten years from the date of Registration, and may under the terms of the Act and Rules, be extended for a further period of five years. This Certificate is not for use in legal proceedings or for obtaining registration abroad.

## Patent No - 06

### Method and Composition of Unique Mushroom Samosa

**Inventors and Co-Inventors:** Dr. Dayaram

**Patent No.:** 419887

**Date of Patent:**31/01/2023

**Brief Information:** Mushroom samosa is unique item and nutritious food. Its production promotes marketing of oyster of mushroom and obtained round the year at domestic level. No any food item relevant to this are available. It contains 6.76 % moisture, 9.23



% total protein, 23.07% total fat, 56.87 % total carbohydrate, 1.93 % total fiber, 2.14 %, ash and 475.2 Kcal/100gm calorific value.



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PATENT CERTIFICATE  
(Rule 74 of The Patents Rules)

क्रमांक : 033123018  
SL No :



पेटेंट नं. / Patent No. : 419887  
आवेदन नं. / Application No. : 201931030184  
कागद करने की तारीख / Date of Filing : 25/07/2019  
पेटेंटी / Patentee : Dr. RAJENDRA PRASAD CENTRAL AGRICULTURE  
UNIVERSITY

प्रमाणित किया जाता है कि पेटेंटी को, उपरोक्त आवेदन में वर्णित METHOD AND COMPOSITION OF UNIQUE MUSHROOM SAMOSA नामक आविष्कार के लिए, पेटेंट अधिनियम, 1970 के उपबंधों के अनुसार आज तारीख जुलाई 2019 के पच्चीसवें दिन से बीस वर्ष की अवधि के लिए पेटेंट अनुदान किया गया है।

It is hereby certified that a patent has been granted to the patentee for an invention entitled METHOD AND COMPOSITION OF UNIQUE MUSHROOM SAMOSA as disclosed in the above mentioned application for the term of 20 years from the 25<sup>th</sup> day of July 2019 in accordance with the provisions of the Patents Act, 1970.



कागद की तारीख : 31/01/2023  
Date of Grant :

Controller of Patent

**टिप्पणी** - इस पेटेंट के नवीकरण के लिए फीस, यदि इसे बनाए रखा जाना है, जुलाई 2021 के पच्चीसवें दिन से और उसके पचास रुपये तक में जारी किए जाएंगे।

**Note** - The fees for renewal of this patent, if it is to be maintained will fall / has fallen due on 25<sup>th</sup> day of July 2021 and on the same day in every year thereafter.

## Patent No - 07

### Multi-Crop Seeder

**Inventors and Co-Inventors:** Dr. Subhash Chandra, Dr. Ambrish Kumar and Er. Abhishek Kumar Ansh

**Patent No.:** 425659

**Date of Patent:** 17/03/2023

**Brief Information:** The machine is an improved seeder with ability to facilitate intercropping. It is a multi-crop seeder embodied with ‘off and on’ technology to regulate the quantity of seed delivered



from the seed box. The machine works on the principle of Rice-wheat seeder equipment or Drum seeder, where the seed kept in rotating seed box comes out through circular holes engraved on the periphery of the seed box due to gravitational force. The rotation of seed box causes thrust on seeds and delivery of seed takes place. The

multiple sized holes created on the seed box in different numbers are compatible to address different crops for their recommended seed rate. The machine also bears special mechanism to control the seed depth in direction in transverse to the direction of motion of machine to address undulated surface variation in the field. The performance of machine has been found satisfactory and it helps the farmers in satisfactory seeding without going through the calibration process for different types of seeds.



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सुवर्णयुग काली

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पेटेंट कार्यालय  
THE PATENT OFFICE

पेटेंट प्रमाणपत्र  
PATENT CERTIFICATE  
(Rule 74 of The Patents Rules)

क्रमांक : 033123679  
SL No :



पेटेंट सं. / Patent No.	425659
आवेदन सं. / Application No.	202231036177
फाइल करने की तारीख / Date of Filing	23/06/2022
पेटेंटी / Patentee	Dr. Rajendra Prasad Central Agricultural University
अविष्कारक (जहाँ लागू हो) / Inventor(s)	1.Dr. Subhash Chandra 2.Dr. Ambrish Kumar 3.Er. Abhisek Kumar Ansh

प्रमाणित किया जाता है कि पेटेंटी को, उपरोक्त आवेदन में व्यापकतः MULTI-CROP SEEDER नामक अविष्कार के लिए, पेटेंट अधिनियम, 1970 के उपबंधों के अनुसार आज तारीख जून 2022 के तैद्दिसवें दिन से बीस वर्ष की अवधि के लिए पेटेंट अनुदत्त किया गया है।

It is hereby certified that a patent has been granted to the patentee for an invention entitled MULTI-CROP SEEDER as disclosed in the above mentioned application for the term of 20 years from the 23<sup>rd</sup> day of June 2022 in accordance with the provisions of the Patents Act, 1970.

**INTELLECTUAL  
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PATENTS | DESIGNS | TRADE MARKS  
GEOGRAPHICAL INDICATIONS



अनुदान की तारीख : 17/03/2023  
Date of Grant :

Controller of Patent

**टिप्पणी** - इस पेटेंट की नवीकरण के लिए फीस, यदि इसे बनाए रखा जाना है, जून 2024 के तैद्दिसवें दिन को और उसके पश्चात प्रत्येक वर्ष में उसी दिन को होगी।  
Note - The fees for renewal of this patent, if it is to be maintained will fall / has fallen due on 23<sup>rd</sup> day of June 2024 and on the same day in every year thereafter.

## **Patent No - 08**

### **Energy Dense Nutritive Food having Balanced Nutritional Composition and Process for Preparation**

**Inventors and Co-Inventors:** Dr Usha Singh

**Patent No.:** 448601

**Date of Patent:**31.08.2023

**Brief Information:** The energy dense nutritive food having balanced nutritional composition comprising easily available ingredients selected from processed cereals, pulse, nuts, sugar, ghee and milk powder is effective for nutritional management of Severe Acute Malnourished children by helping them to come under “normal condition”. Advantageously the said formulation is user friendly, stable at room temperature upto 5 months.



**Patent No - 09**

**A SOLAR POWERED FISH PRESERVATION AND  
TRANSPORTATION CART**

**Inventors and Co-Inventors:** Dr. Shivendra Kumar

**Patent No.:** 472593

**Date of Patent:** 23.11.2023

**Brief Description:**

- Cold Chain Maintenance for Effective Marketing
- Speedy transfer of fish from production to consumption centre, without adding much to the cost
- This machine maintains temperature of storage chamber up to  $-24^{\circ}\text{C}$  during unloaded condition and  $-15^{\circ}\text{C}$  during fully loaded condition
- About 35 Kg fish can be preserved up to 4-6 days at consumable level.





## **Patent No - 10**

### **Design of Food Cart**

**Inventors and Co-Inventors:** Dr. Shivendra Kumar

**Design No.:** 342333-001

**Date of Patent:** 29.08.2022

**Brief Description:** The operational cost of selling 35 kg fish without this cart is about Rs. 100/- per day, whereas with Rajendra Matsya Bandhu the Rs. 30/- per day and Cost of One Unit was only Rs. 1.0 Lakh. It increases in profitability to the fish vendors due to No involvement of additional operational cost during fish preservation and marketing and Increase in marketing efficiency due to coverage area for marketing will get increased with better quality fish.

#### **COMPONENTS**

- Tricycle
- Chamber for fish storage
- Space for fish dressing
- Solar plates
- Battery

- Digital ON/OFF switch
- Temperature regulator
- Space for keeping knife and other accessories



ORIGINAL

No. 116567

भारत सरकार  
GOVERNMENT OF INDIA  
पेटेंट कार्यालय  
THE PATENT OFFICE

CERTIFICATE OF REGISTRATION OF DESIGN

Design No. 342333-001  
Date 13/04/2021  
Reciprocity Date\*  
Country

Certified that the design of which a copy is annexed hereto has been registered as of the number and date given above in class 12-13 in respect of the application of such design to FOOD CART in the name of DR. RAJENDRA PRASAD CENTRAL AGRICULTURAL UNIVERSITY, PUSA, SAMASTIPUR, BIHAR-848125, INDIA

in pursuance of and subject to the provisions of the Designs Act, 2000 and the Designs Rules, 2001.

Controller General of Patents, Designs and Trade Marks

\*The reciprocity date (if any) which has been allowed and the name of the country.  
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# Guideline for filing the patent

## What is a Patent filing?

To get the patent for the invention, one must file a patent application in the patent Office. The Government has set the laws and rules for filing a Patent in India. One has to follow those laws and rules while filing a Patent. To file a patent, the Patent office requires technical details of the invention along with other details. One must first write the technical details of the invention in a set format. Also, one has to provide the inventor and applicant details.

One important part of the Patent filing in India is writing a technical document in a set format. There are few legal parts also one must follow while writing the technical document. One can take the help of Patent experts for the writing and filing of a Patent document in the Patent office. Patent experts can write the technical document on your behalf as per the set format and can help you with smooth filing.

The procedure for filing Patent in India is governed by the Indian Patent Office in India. The Indian Patent Office is administered by the Office of the Controller General of Patents, Designs & Trademarks (CGPDTM) and it takes care of Patent Filing and Prosecution. The office works with its Kolkata, Chennai, New Delhi and Mumbai branch offices. The online patent can be filed online <https://iponline.ipindia.gov.in/epatentfiling/goForLogin/doLogin>

In order to obtain a Patent Registration, certain prescribed eligibility criteria as per the Law need to be fulfilled.

Before filing the patent few points that should be considered in India:

- **To qualify for 'Novelty/Newness:** An invention or technology should not be anticipated by the publication in any document or should not be used in the country or elsewhere in the world before the priority date of Patent filing.
- **To qualify for 'Inventive Step/Non-Obviousness:** An invention should have technical advance as compared to the existing knowledge or having economic significance or both, and that makes the invention not obvious to a person skilled in the art. It should not just be a mere workshop improvement that can be reproduced by any skilled person of the field.

- **In order to qualify for 'Capable for Industrial Application:** An invention should be capable enough of being made or used in industry.
- **In order to qualify for 'Patentable Subject Matter:** An Invention should not fall in the category of Non-Patentable Subject Matter that has been detailed under Indian Patents, Act 1970.

**The Non-Patentable Subject Matter are as follow:**

- i. An invention which is frivolous, or which claims anything obviously contrary to well established natural laws;
- ii. An invention the primary or intended use or commercial exploitation of which could be contrary to public order or morality or which causes serious prejudice to human, animal or plant life or health or to the environment;
- iii. The mere discovery of a scientific principle or the formulation of an abstract theory or discovery of any living thing or non-living substance occurring in nature
- iv. The mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy of that substance or the mere discovery of any new property or new use for a known substance or of the mere use of a known process, machine or apparatus unless such known process results in a new product or employs at least one new reactant.
- v. A substance obtained by a mere admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such substance;
- vi. The mere arrangement or re-arrangement or duplication of known devices each functioning independently of one another in a known way;
- vii. A method of agriculture or horticulture;
- viii. Any process for the medicinal, surgical, curative, prophylactic diagnostic, therapeutic or other treatment of human beings or any process for a similar treatment of animals to render them free of disease or to increase their economic value or that of their products.
- ix. Plants and animals in whole or any part thereof other than micro- organisms but including seeds, varieties, and species and essentially biological processes for production or propagation of plants and animals;
- x. A mathematical or business method or a computer programme per se or algorithms;

- xi. A literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever including cinematographic works and television productions;
- xii. A mere scheme or rule or method of performing mental act or method of playing a game;
- xiii. A presentation of information;
- xiv. The topography of integrated circuits;
- xv. An invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of a traditionally known component or components;
- xvi. Inventions relating to atomic energy not patentable."

### **Steps for Patent Filing in India:**

The process for the Patent Filing in India starts with the filing of patent application in the designated Patent Office and only defined. Applicant is eligible for filing a patent application in India for patent grant.

Patent Filing in India: Indian patent office accepts the prescribed forms and documents along with the Official fees as given under the First Schedule of Patents Rule.

The prescribed Forms and documents which need to be filed in the designated Patent Office along with the Official Fees for initiating the patent filing procedure and eventually Patent Registration as follow

#### **Form-1 (Application for grant of a Patent):**

It includes the details of the Inventor(s), Applicant(s), type of Patent Application is filed, title of the invention, certain declarations from the Applicant and signatures of the Inventor(s), Applicant(s) and/or Authorized Person.

#### **Form-2 (Provisional/Complete Specification):**

It includes the information for the type of Application, the title of the invention, description, claims (if complete specification), abstract of the invention.

#### **Form-3 (Statement and Undertaking):**

It includes a statement and undertaking on behalf of the inventor for updating the Controller for any foreign filing Application filed for Patent registration.

#### **Form-5 (Declaration as to Inventorship):**

A declaration as to Inventorship must be filed in the Indian Patent Office.

**Form-26 (form for authorization of a Patent Agent/Patent Attorney or any person in a matter or proceeding under the Act):**

In the case where Patent Application for Patent Registration is filed by the Patent Agent or the Patent Attorney whose services are taken by the inventor(s), a form for authorization must be submitted in the Patent Office.

Out of the forms mentioned above, Form 1 and Form 2 along with the official fees are mandatory to be filed to initiate the Patent filing procedure. Without the submission of at least Form 1 and Form 2, a date of filing of the Patent application cannot be granted by the patent office. Although it is not advisable, but in some situations Form 3, Form 5, and Form 26 can be submitted after the submission of Form 1 and Form 2 within stipulated timelines to complete the Patent filing procedure in India.

Further, in the case where Patent Application for Registration in India is based on the previous Patent Application filed abroad under the Convention Patent Application (as under the Paris Convention) or PCT route, a Priority document must be filed along with the application.

In the case where the previous Patent Application is in a language other than Hindi or English, a Verified Translation of the same also needs to be submitted to the Indian Patent Office.

**Form-28 (To be submitted by a small entity/start-up):** In order to take benefit under the category of small entity/start-up, proof or evidence needs to be submitted. At last, all the documents, Forms or Drawings must be signed by the authorized person or the inventor.

**STRATEGY FOR PATENT FILING**

Patent filing is a strategic decision, it gives territorial rights to the applicant, meaning, if an applicant is filing a patent application in India, in that case, applicant will get the right in Indian only and not in the other countries. Therefore, for securing the rights in other countries, filing of patent application in those countries can be strategized after completing the patent filing procedure in India in future within stipulated timelines provided by the Indian Patent Office.

For details

[Manual for Patent Office Practice and Procedure .pdf \(ipindia.gov.in\)](http://ipindia.gov.in)

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