

Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations

NATIONAL IP AWARDS

Applications for National Intellectual Property Awards are invited (<http://www.ipindia.gov.in/newsdetail.htm?494>) by the Office of the Controller General of Patents, Designs & Trade marks. Applications invited cover AWARDS in 10 categories. The details, their weblinks are made available/accessible hereinbelow.

While multiple applications are received in few categories (III-Top R&D institution/organization for Patents & Commercialization and IV-Top Public Limited Company/ Private Limited Company for Patents & Commercialization in India) there are very few applications for awards received in few other categories.

One such category is "VIII- Top Indian Company Creating Global Brand". While there are large Indian Brands well established in most countries of the world in Automobile, Engineering, Cosmetics, FMCG, Pharma, Nutrition and IT Services, there is poor response to "Global Brands Award". Special attention is drawn to this category.

Similarly, the following categories also receives scant attention.

1. Top Start-up for IP Commercialization
2. Top Indian Private Company (MSME) for Patents & Commercialization
3. Top Indian Academic institution for Patents & Commercialization
4. Top R & D institution/organisation for Patents & Commercialization
5. Top Individual for Patents & Commercialization

While there are many Individual inventors with multiple patents as per IP India record, there are very few individuals applying for the award. The pleasure is primarily in participating, not only in winning the Award. All are requested to go through, apply and also spread the word to encourage others to apply.

PROCEDURE FOR APPLYING:

Eligible applicants will have to file **Part- I of the Application Form compulsorily**. Other parts i.e. **Part II to VII & details in Excel Sheet** may be filled as applicable, depending upon the categories in which an application for award is made. A soft copy of Excel-Sheet (in the prescribed Format), incorporating **the detailed information as applicable, shall accompany the Application, failing which, the application for IP award shall not be considered.**

Application along with the applicable Annexures and supporting documents, complete in all respects shall be sent to the following address so as to reach on or before **28th February, 2019**, and also to be sent by e-mail to ipawards.ipo@nic.in before **28th February, 2019**.

Office of the Controller General of Patents, Designs and Trademarks
Boudhik Sampada Bhawan
S M Road, Antop Hill, Mumbai-400037.

Click here to download the Application Form:

http://www.ipindia.gov.in/writereaddata/Portal/News/494_1_Application_Forms_for_National_IP_Awards_2019_22-1-2019_.pdf

Note: For any clarification, you may contact Shri. Kundan Kumar (Ph- 022 24139023, email- ipawards.ipo@nic.in). Alternatively, you may communicate to us (CIPROM) in case of any general queries.

Reminder: All Applicants may follow instructions closely and comply. 'Excel sheet for Publication' in format should accompany as instructed, for start-ups, designs and global brands.

National Intellectual Property Awards 2019

1. Objective

The objective of conferring the National Intellectual Property (IP) Awards is to recognize and reward individuals and enterprises for their creations and commercialization of IP which have contributed to harnessing the country's intellectual capital and creating IP eco-system that boosts creativity and innovation. The awards will be presented to the awardees at an event in Delhi organized by the Intellectual Property Office (IPO) in collaboration with the Confederation of Indian Industry (CII) coinciding with World IP Day which falls on 26th April.

2. Categories of IP Awards (Patents, Trademarks & Design)

The awards are intended to encourage the innovation and management of intellectual property portfolio that influences the success of a business, whether large or small, in different industry segments.

Following ten (10) categories are included in the **National Intellectual Property Awards Program 2019:**

S. No.	Category	Criteria of evaluation Filing : Commercialization
I	Top Individual for Patents & Commercialization	60:40
II	Top Indian Academic institution for Patents & Commercialization	
III	Top R & D institution/organisation for Patents & Commercialization	
IV	Top Public Limited Company / Private Limited Company for Patents & Commercialization in India a. Indian b. Foreign	
V	Top Indian Private Company (MSME) for Patents & Commercialization	
VI	Top Start-up for IP Commercialization	40:60
VII	Top Indian Company /Organization for Designs	40:60
VIII	Top Indian Company for creating Global brand	40:60
IX	Top Individual / organization for Best facilitation of Registration of GI and Promotion of registered GI in India.	
X	Best Police Unit (District / zone in a commissionerate) for enforcement of IP in the Country	(FIR: Raids: charge sheet) 20:30:50

Each award will carry a cash prize of Rs. 1,00,000/- and citation.

Note: The awardees of the National Intellectual Property Awards 2017 & 2018 in the particular category are not eligible for the award in 2019 in that category.

2.2 Linking of National IP Awards with WIPO Awards :

Three Awards given annually by the World Intellectual Property Organisation (WIPO) under the WIPO Awards Program will be linked to the appropriate categories of National IP

Awards 2019 and will be conferred on 26th April, 2019 along with National IP Awards on the occasion of World Intellectual Property Day, 2019.

Separate application/s for the WIPO Awards is not required, since these awards will be conferred upon the awardees selected in the respective categories of the National IP Awards 2019.

For this purpose WIPO Awards are proposed to be linked as below ,in accordance with the concurrence of the World Intellectual Property Organization (WIPO):

1. **WIPO Medal for Inventors** - Top Individual for Patents & Commercialization
2. **WIPO IP Enterprises Trophy** - Top *Indian* Public Limited Company/ Private Limited Company
3. **WIPO Users Trophy** - Top Indian Company for creating Global brand

3. Broad parameters for selection :

These awards will not be given solely on the basis of number of Intellectual Property Rights (IPRs) registered/ granted. The utilization of such IPRs as a strategic tool in commerce & industry, along with their contribution to the society at large, will be taken into consideration.

For the purpose of National IP Awards 2019, **the performance in the last 3 calendar years i.e. during 2016-2018 will be taken into consideration.**

The following parameters will be considered as relevant:

- I. Number of IPRs filed / granted / registered.
- II. Growth in IPR portfolio in the last three calendar years.
- III. Leveraging of IPRs for achieving commercial goals (manufacturing, licensing, processes associated with granted / registered IPRs for marketing / export etc.)

Further, a numerical weightages for i) filing and grant of IP applications and ii) commercialization will be considered for the purpose of evaluating applications for Awards, as under:

- *for Patents, the weightage for Filing & Grant/Registration to Commercialization will be 60:40, whereas,*
- *in Designs and Trade Marks, the weightage for filing & Registration: commercialization will be 40:60.*
- *for Enforcement of IPRs, the weightage will be 20:30:50 For FIR lodged for infringement : Raids conducted : Charge sheet filed*

4. Eligibility

- An applicant for IP Award should be either Individual or Legal Entity as provided under the respective IP Act.
- An Applicant may be , either private or public sector Indian industry (MSME and major industries), startups, firms and societies registered in India; Indian subsidiary of a

transnational corporation; Indian Academic institutions and R&D institutions registered as a legal entity in India; and individuals, who have IPRs filed/published /granted / registered in India during the last three calendar years, .

- It has been decided that an organization applying for award under the **category of MSME**, i.e., “**Top Indian Private Company (MSME) for Patents & Commercialization**” , should be a standalone enterprise and it should state the details of patent applications filed / granted **in its own name only**. Any details in respect of applications filed/patents granted belonging to a subsidiary company or the company under which it is a subsidiary company or a group of companies, where the applicant is a part of the said group of companies, will not be taken into consideration.
- For the category, “**Top Public Limited Company / Private Limited Company in India**” , it is necessary that the applicant should have the patents granted/ patents applied for the research and development conducted in India and subsequent first filing should be in India for the said developed inventions.

NEWS SNIPPETS

McDonald’s Loses ‘Big Mac’ Trademark Case to Irish Chain Supermac’s

Reuters

Monstanto can claim royalty on Bt cotton until its validity is decided by a single judge of Delhi high court, says Supreme Court. the patent held by Monsanto over its Bollgard-II Bt cotton seed technology, a GM variant that resists the bollworm pest, will be enforceable in India for now.

Supreme Court upholds Monsanto’s patent claim on Bt cotton seed

Priyanka Mittal, Neetu Chandra Sharma

Monstanto can claim royalty on Bt cotton until its validity is decided by a single judge of Delhi high court, says Supreme Court. the patent held by Monsanto over its Bollgard-II Bt cotton seed technology, a GM variant that resists the bollworm pest, will be enforceable in India for now.

Software patents poised to make a comeback under new patent office rules

BEN KLEMENS

A landmark 2014 ruling by the Supreme Court called into question the validity of many software patents. In the wake of that ruling, countless broad software patents became invalid, dealing a blow to litigation-happy patent trolls nationwide.

The courts have long held that patents can’t claim abstract ideas or laws of nature. And until the 1990s, courts held that most software patents were attempts to claim mathematical algorithms—a kind of abstract idea. But a series of Federal Circuit rulings gradually watered down this rule. By the turn of the century, there were few meaningful limits to patenting software.

Justice Pratibha M. Singh of Delhi High Court awards ₹3.85 crores as damages in WHATMAN filter paper case

A group of trademark infringers based in Mumbai Western suburbs were found guilty of fraudulently marketing WHATMAN look-a-like filter papers under Trademarks ‘HIRAL’, ‘ACHME’, ‘LABSMAN’, ‘SUN’, etc.

A punitive damage of ₹3.85 crores have been awarded to Whatman International Limited against them.

Wilful “trademark infringers” and “passing off” offenders are being warned of serious consequences through this landmark judgement.