

Intellectual Property advocacy in the fields of:

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

JUNE 2025

Editorial

INNOVATION ERA EMERGING IN INDIA FROM GRASSROOTS

There is widespread enthusiasm and participation in grassroots innovation in India, not only through startups but also through “JUGAADS.” Jugaads are need-based, practical innovations meeting low patentability criteria when viewed through the lens of the Patents Act, 1970.

In the present context, there is a need to recognize utility patents/petty patents and provide a favorable ecosystem for the protection of grassroots innovations. It is high time that India starts granting utility patents with a lower threshold of patentability and a shorter term of 5-7 years of protection. Licensing of utility patents can be provided on a SEP (Standard Essential Patent) type licensing provision with FRAND (Fair, Reasonable, and Non-Discriminatory) type nominal licensing fees.

India needs to evaluate this option strongly in the current context.

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Insights and Innovations Shared at CSIR-NIIST Golden Jubilee Conclave on IP Monetization & Technology Transfer



On May 14, 2025, CSIR-NIIST, Thiruvananthapuram, hosted its Golden Jubilee Conclave on IP Monetization & Technology Transfer, bringing together leading experts and stakeholders from across the innovation ecosystem.

Dr. Gopakumar G Nair of GNANLex Associates LLP was invited as a distinguished panelist. In his address, Dr. Nair underscored the importance of

aligning intellectual property strategies with both institutional missions and commercial objectives.



He offered practical insights on how research institutions and start-ups can effectively unlock value from their innovations through robust IP monetization frameworks.

Drawing from real-world experiences and landmark case studies, Dr. Nair emphasized the need for collaborative ecosystems and strong institutional policies to support successful technology transfer.



The audience, comprising researchers, faculty, and IP professionals, engaged actively with the panel posing thoughtful questions and exploring actionable frameworks for implementation.



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Rashtriya Boudhik Sampada Mahotsav
2025: Innovation and IP at CSIR-IICT

The three-day Rashtriya Boudhik Sampada Mahotsav (RBSM) - 2025 culminated on 28th May 2025 at the Swami Vivekananda Auditorium, CSIR-IICT, with an inspiring closing session.

The chief guest for the day, Dr. Gopakumar G. Nair, Founder of GNANLex Associates, delivered an engaging presentation on “Patent Protection and Valorisation.” He emphasized key aspects of patenting, commercialization avenues, and effective IP management. The session concluded with an interactive Q&A that enriched the audience’s understanding.

The program began at 10:00 AM with a welcome address by Dr.

Pravin R. Likhar, Chief Scientist and Chair of BDRM.



Dr. Sanjib Kr Paul, Senior Scientist & IP Coordinator presented the IP Report Card of CSIR-IICT, providing a comprehensive overview of the institute's intellectual property portfolio and milestones.

In his keynote address, Dr. D. Srinivas Reddy, Director of CSIR-IICT, highlighted the importance of intellectual property and patents from both global and national perspectives. He also underscored CSIR-IICT's achievements in fostering IP awareness and patent protection.



Winners of the IP Awareness Quiz and the Extempore Speech

Competition, held earlier during the festival, were felicitated, celebrating the enthusiasm and talent of the participants.

The event closed with a vote of thanks by Dr. Raju Gurrupu, Scientist, IP Unit, CSIR-IICT. Active participation from both staff and students made RBSM-2025 a memorable celebration of intellectual property.

Pre-Grant Opposition: Timing Is Everything

In a significant judgment delivered on April 30, 2025, the Delhi High Court in the matter of Vertex Pharmaceuticals Incorporated vs. Controller General of Patents, Designs, Trademarks and

Geographical Indications clarified the legal position concerning the timing and maintainability of Pre-Grant Oppositions post patent grant.

The Court considered two related writ petitions challenging the issuance of a Pre-Grant Opposition notice and a subsequent order permitting the opposition after the Controller had granted the patent but prior to the patent order's upload on the Indian Patent Office (IPO) website.

Key Highlights:

✚ The Court held that the effective date of patent grant is the date the Controller signs the order allowing the patent, not the date on which the order is uploaded on the IPO website or the patent certificate is generated.

✚ Filing of a Pre-Grant Opposition after the Controller's signed order of patent grant is not maintainable, even if it precedes the certificate issuance or online publication.

✚ The Court ruled that the Controller becomes *functus officio* (no longer having jurisdiction) after granting the patent, and thus cannot entertain oppositions or issue notices subsequently.

✚ Any delays or system glitches in uploading the grant order or issuing the patent certificate do not affect the validity of the patent grant nor extend the period for filing Pre-Grant Oppositions.

✚ The impugned notice and order allowing the Pre-Grant Opposition after patent grant were quashed as illegal and arbitrary.

IMPLICATIONS:

This judgment provides crucial clarity for patentees and stakeholders on the finality of patent grants and procedural timelines for oppositions under the Indian Patents Act. It underscores the importance of the Controller's signed order date as the determinative moment for grant, rather than administrative formalities that follow.

Justice Saurabh Banerjee, who presided over the matter, emphasized the need to prevent abuse of legal processes and protect patent rights once formally granted.



This ruling sets a precedent that will likely streamline patent prosecution and opposition practices in India, ensuring certainty and fairness in intellectual

property administration.

Policy Roundtable on Product Patents in the Pharmaceutical Sector in India: A Reflection on 20 Years

Date & Time: Friday, 30th May, 2025 | 15:00-16:30 IST

Venue:

ISID Ground Floor Conference Hall 4 Vasant Kunj Institutional Area, New Delhi - 110070

Hybrid Mode Available

Hosted by:

Institute for Studies in Industrial Development (ISID)

(An institute of Indian Council of Social Science Research - ICSSR, Ministry of Education)

Speakers and Panellists

Chair:

Mr. Nagesh Kumar - Director, ISID

Panellists:

Mr. Arun K Pradhan - Advisor, CDSCO, Ministry of Health & Family Welfare

Ms. Ruchi Sharma - Faculty, IIM Indore

Mr. Bharat Shah - President, IDMA

Ms. Archana Jatkar - Associate Secretary General, IPA

Dr. Gopakumar G Nair - Head, Gopakumar Nair Associates

Mr. Gopakumar K M - Senior Researcher and Legal Advisor, TWN

Mr. Reji K Joseph - Associate Professor, ISID



ISID Institute for Studies in Industrial Development
An Institute of Indian Council of Social Science Research (Ministry of Education)
Policy Research to Foster India's Industrial Transformation

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Nagesh Kumar Director, ISID
Arun K Pradhan Advisor, CDSCO, Min. of Health & Family Welfare
Ruchi Sharma Professor, IIM Indore
Bharat Shah President, IDMA
Archana Jatkar Associate Secretary General, IPA
Gopakumar G Nair Head, Gopakumar Nair Associates
Gopakumar K M Senior Researcher and Legal Advisor, TWN
Reji K Joseph Associate Professor, ISID

The session will be followed by Q&As

Hybrid Mode
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Temple Body of Jagannath Moves to Patent Iconic Names

The Sri Jagannath Temple Administration (SJTA) has resolved to apply for patents on several significant terms, including ‘Srimandir’, ‘Jagannath Dham’, ‘Mahaprasad’, the ‘Srimandir’ logo, as well as ‘Shriksheeta’ and ‘Purushottam Dham’. This decision was approved in a high-level meeting, with the primary objective of legally safeguarding the sanctity, heritage, and distinct identity of the Jagannath Temple.

This move arises amid ongoing disputes between Odisha and West Bengal following the inauguration of a Jagannath temple in Digha, West Bengal, where the term “Jagannath Dham” was used. The use of “Dham” is traditionally and scripturally reserved for Puri, as designated by Hindu scriptures and the revered Adi Shankaracharya’s identification of the four Dhams—Puri, Badrinath, Dwarka, and Rameswaram. The application of this sacred title to the Digha temple has prompted strong objections from the Puri Shankaracharya and other religious authorities, who emphasize that such terminology must remain exclusively associated with the Puri temple.



Chief Administrator of the SJTA, Arabinda Padhee, emphasized that patenting these temple-

related terms is a necessary legal measure to prevent unauthorized or indiscriminate use, thereby preserving the spiritual and cultural significance tied to Lord Jagannath.

Further controversy surrounds the Digha temple as it reportedly permits entry to non-Hindus and foreigners, which contrasts with the Puri temple’s tradition of Hindu-only worship. Additionally, allegations have surfaced regarding the use of leftover wood from Puri’s sacred Nabakalebar ritual to create the idols in Digha, raising concerns about the sanctity of those idols.

Political figures have also weighed in, with BJP leaders accusing the West Bengal government of leveraging the temple for political gain ahead of the 2026 assembly elections. Odisha Chief Minister Mohan Charan Majhi has formally requested the removal of the term ‘Jagannath Dham’ from the Digha temple’s official name; however, this request has not been heeded by the West Bengal government.

On Monday, Puri’s King, Gajapati Maharaja Dibyasingha Deb, appealed to the SJTA and the Odisha government to take immediate action to address the naming dispute, emphasizing the deep hurt caused to devotees by the inappropriate use of terms traditionally exclusive to the Puri temple.

In summary, the Sri Jagannath Temple Administration’s decision to patent these sacred terms reflects a concerted effort to protect the revered legacy and unique spiritual identity of the



Jagannath Temple in Puri.