

# OPERATIONAL GUIDELINES FOR PROVIDING ASSISTANCE ON PATENT REGISTRATION.

(See Para- 5.4.8 of IPR-2015)

Intellectual Property can broadly be defined as product of mind. The Government grants secured legal rights to the owner of inventions. In the present scenario, measures for protecting Intellectual Property and its trade related aspects have gained momentum nation-wide. The State Government of Odisha is providing assistance under the provisions of Industrial Policy Resolution- 2015 to stimulate inventions by domestic producers and to get legal protection for their inventions through Patent.

**1. Short Title:** - Operational guidelines for providing assistance on Patent & Intellectual Property Rights under Industrial Policy Resolution 2015

**2. Extent:** - It shall extend to the whole of the State of Odisha.

**3. Commencement:** - It shall come into force from the "Effective Date" of Industrial Policy Resolution-2015 i.e. 24.08.2015.

**4. Terms and Expressions:** -Terms and expressions used in this operational guideline, but not specifically defined here, shall have the same meaning as in Industrial Policy Resolution-2015.

## **5. Definition:-**

**5.1** Intellectual Property includes industrial property like-

(i) Inventions (Process, Product and Apparatus) registrable under Indian Patent Act-1970- Amendment-1999 as amended by the Patents Amendment Act, 2005.

(ii) Industrial Design (Shape, Configuration, Pattern, Ornamentation) registrable under the Designs Act, 1911- superseded by The Designs Act, 2000

(iii) Trademarks (Marks and Trade Names to distinguish goods and Service Marks where Trade Mark is used in connection with services) registrable under The Trade and Merchandise Marks Act, 1958 superseded by The Trade Mark Act-1999.

(iv) Geographical Indications (Indication of source or appellations of origin) registrable under Registration and Protection Act-1999

(v) Integrated Circuit Layout Designs registrable under The Semiconductor Integrated Circuit Layout Designs Act, 2000 and / or under international treaties for which the Union of India is a signatory.

**5.2** Competent Registering Authorities are-

(i) The Controller General of Patents, Designs and Trade Marks, (CGPDT) under the administrative control of The Department of Industrial Policy & Promotion, Ministry of Commerce & Industry, Government of India,

(ii) Registrar of Geographical Indications, Chennai under the administrative control of Ministry of Commerce & Industry, Government of India