

ROADMAP FOR PATENT CREATION

PROCEDURE FOR PATENT FILING-FORMS AND FEES

LECTURE 34

A very warm welcome in the fourth module of week 7 of the Course, roadmap for patent creation, titled “Procedure for patent filing-forms and fees”

- Patent Fees is mentioned under Rule 7 of Patent Rules 2003;
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- First Schedule of Patent Act 1970 contains a description of relevant fees.
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- Patent Forms are mentioned under Rule 8 of Patent Rules 2003; Second Schedule of Patent Act 1970 contains description of relevant forms.
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- Through the notification of 2014 , the Government of India has added a third category of applicant as “Small Entities” which were earlier not mentioned.
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- A new official form-28 has been introduced which will accompany any application filed by the “Small Entity”

	Fee	Extra pages	Extra claims
India	Rs.1750/4400/8800 Rs.180/440/880 per page in excess of 30 pages Rs.350/880/1750 per claim in excess of 10 claims		
US	\$300/150/75 \$400/200/100 per extra 50 sheets in excess of 100 \$100/50/25 in excess of 20 claims		
EU	Euro 210 Euro 15 per sheet in excess of 35 235 per claim for 15-50 claims and 585 for next claims		

India Natural person(s) and/ or Startup Small entity, alone or with natural person(s) and/ or Startup Others, alone or with natural person(s) and/ or Startup and/ or small entity USA Fee Small Entity Fee Micro Entity Fee India – Patent office Procedural aspect

Fee	Form No.	Title
1750	Form 1	Application for grant of patent Section: 7, 54 & 135; Rule: 20 (1)
Free	Form 2	Provisional / Complete specification Section: 10; Rule: 13
Free	Form 3	Statement and undertaking under section 8 Section: 8; Rule: 12
530/ M	Form 4	Request for extension of time Section: 53 (2) & 142 (4); Rule: 13 (6), 80 (1A) & 130
Free	Form 5	Declaration as to Inventor ship Section: 10 (6); Rule: 13 (6)
880	Form 6	Claim or request regarding any change in applicant for patent Section: 20 (1), 20 (4) & 20 (5); Rules: 34 (1), 35 (1) or 36 (1)
2600	Form 7	Notice of opposition Sections: 25 (2); Rule: 55 A
880	Form 8	Request or claim regarding mention of inventor as such in a patent Section: 28 (2), 28 (3) or 28 (7); Rule: 66, 67 & 68
2750	Form 9	Request for publication Section: 11 A (2); Rule: 24 A

- Forms : 1,2,3,5 and 26
- Publication & Examination: 9 and 18
- Change in address: 1

Video With this we come to the end of this session. See you in the next session thank you!

