印度(IN)

1 概述

印度对发明与工业品外观设计分别立法予以保护。1970 年 9 月 19 日颁布《专利法》 (1970),1972 年 4 月 20 日正式生效,1999 年 3 月 26 日、2002 年 5 月、2005 年 4 月经过 三次修改。2000 年 5 月 25 日颁布《外观设计法》,2001 年 5 月 11 日正式生效。

《专利法》对发明予以专利保护,实行延迟审查制。发明专利分为一般发明专利、补充 专利和条约专利。发明专利保护期限自申请日起不得超过 20 年。

《外观设计法》对工业品外观设计予以法律保护,实行登记制。工业品外观设计保护期限自登记日(申请日)起10年。权利人可以延长5年。

印度于1975年5月1日加入《专利合作条约(PCT)》。

● 文献种类

印度知识产权局公开出版的文献种类代码见下表。

种类代码	含义
A1	专利说明书
A7	补充专利说明书

● 文献编号

类型	编号形式	样例
省田丰利申诺早	申请序号/受理局英文简称/四位年代码	506/VOLND/2002 A
及明专档中国与	文献种类代码	390/KOLINP/2003 A
国际由洼护旦	IN/PCT/四位年代码/五位申请序列号/	
凹 阶 中	申请受理局的英文简称"	IIN/PC1/2002/01518/IVIUIVI
发明专利公开号	IN+6 位数字	IN177562
工业品外观设计申请号	6 位数字	222230
工业品外观设计公开号	4 位数字	3262

2 本国公共检索资源

印度知识产权局提供两个检索系统:印度专利检索服务系统和外观设计申请信息检索系统。两个检索系统收录数据范围不同,检索方式不同。

2.1 印度知识产权局专利检索服务系统

● 检索资源地址

http://ipindiaservices.gov.in/publicsearch

● 检索资源语种

印地语、英语

● 资源收录范围及文献量

类型	收录起始时间	文献量(单位:件)
发明专利	1912/1/1-2013/12/31	264,124
合计	-	264,124

● 检索资源主要功能

(1) 文献检索

印度知识产权局官方网站提供四类文献检索,分别是:授权专利(Granted Patents)、公布的专利申请(Published Applications)、专利申请法律状态(Application Status)和代理人查询(Agent Register)。

GRAPHICAL INDICATIONS	G	सन्योव जयते OVERNMENT OF	INDIA	l	Department of Ind Minist	lustrial F try of Co
	Mal	omo to IBAIRS	Vorcion	2.0	<u>Pa</u>	atent 3
((P 11: 1 1 1		version			
Granted fatents		tions Applics	tion Sta	tus Agent Kegi	ster	
		Granted Pate	ents			- I
		Submit				- I
Plea	se Select value A	nd Insert valu	e (TextE	Box) For Span	Record	- I
NOT SEL	ECTED 💌	Containing	~	DD/MM/YYYY		8
TITLE OF	INVENTION	Equal To	~	DD/MM/YYYY		
ABSTRAC		Containing	~	C		le la
APPLICA	NT ADDRESS	Containing	~	(
PATENT 1	GRANTEE -	Containing	~)	(-
DATE OF	FILING(NATIONAL)	Containing	~	6		_
INVENTO	RADDRESS	Containing	~			
JOURNAL DATE OF	LNUMBER(U/S 43(2))	Containing	-			
PUBLICA		Containing				_
PCT INT.	APPL NUMBER	Containing				-
		Containing				
		Containing				
NOT SEL	ECTED Y	Containing				-
NOT SEL	ECTED 💙	Containing	¥)			

图 IN-1

➢ 授权专利(Granted Patents)检索入口见图 IN-1,包括:发明名称(TITLE of INVENTION)、摘要(ABSTRACT OF TEXT)、申请号(APPLICATION NUMBER)、申请人地址(APPLICANT ADDRESS)、授权人姓名(NAME OF GRANTEE)、专利号(PATENT NUMBER)、申请日(本国)(DATE OF FILING(NATIONAL))、发明人姓名(INVETNOR NAME)、发明人地址(INVENTOR ADDRESS)、公报号 U/S43(2)(JOURAL NUMBER (U/S43(2)))、授权日(DATE OF GRANT)、公布日(PUBLICATION DATE)、国际分类号(INTER CLASS. CODE(IPC))、PCT 申请号(PCT INT. APPL. NUMBER)。

➢ 公布的专利申请(Published Applications)检索入口见图 IN-2,包括:发明名称(TITLE of INVENTION))、摘要(ABSTRACT OF TEXT)、申请号(APPLICATION NUMBER)、申请人姓名(APPLICATION NAME)、申请日(本国)(DATE OF FILING(NATIONAL))、发明人姓名(INVENTOR NAME)、发明人地址(INVENTOR ADDRESS)、公报号(JOURAL NUMBER)、公

布日 (PUBLICATION DATE)、国际分类号 (INTER CLASS. CODE (IPC))、PCT 申请号 (PCT INT. APPL. NUMBER)。

PATENTS DESIGNS GEOGRAPHICAL INDICATIONS	GOVE		Controller General of Patents Designs and Trademarks Department of Industrial Policy and Promotions Ministry of Commerce and Industry
			Patent Search Engine Help
	Welcom	e to IPAIRS Version 2	2.0
Granted Patents	Published Application	Application Statu	as Agent Register
	Pu	blished Applications	
		Submit	
NOT SEL	CTED D	Containing	
NOT SEL		Containing	
	TTEXT	Containing	
APPLICA APPLICA		ontaining	
DATE OF		Containing	
INVENTO	RADDRESS	Containing V	
PUBLICA	TION DATE	Containing V	
INTER. C PCT INT.	LASS. CODE(IPC)	Containing 💙	
(NOT SEL	ECTED 💌 (C	Containing 💌	
(NOT SEL	ECTED 🕥 (O	Containing 💌	
(NOT SEL	ECTED 💽 (C	Containing 💉	
Best	View in Resolution of 1024x7	68 or later. Enable Javascr	ript for Better Performance.

图 IN-2

▶ 专利申请法律状态(Application Status)检索入口见图 IN-3,包括申请号 (Application Number)和验证码(Enter Captcha Code),输入即可查询专利申请的状态。 表格下方给出了每个专利局申请号的格式,以及免责声明。

		Welcome t	o IPAIRS	Version 2.0		_
Granted Patents	ublished App?	lications	Applicat	ion Status	Agent Register	
						1
Applicat	tion Number	172/DEL/20	10			
		482	22			
Enter C	aptcha Code	46222				
		Submit G	uidelines	for IPAIRS		
Applicat	ion Number Se	arch Forma	at			
172/DEL Kolkata 172/KOL Mumba 172/MU Chenna 172/CHE Disclaim and is u valid for discrepa commen Patent C Patent C Patent C	/2001 or 172/ i /2001 or 172/ i w/2001 or 172/ i E/2001 or 172/ er: The inform nder testing, t any legal pro ancy you may us to following office, Kolkata: Office, Chenna Office, Chenna office, Mumbai:	DELNP/200 KOLNP/200 /MUMNP/200 CHENP/200 eation under herefore th oceedings u contact tr kolkata-pa elhi-patent@ i: chennai-p; mumbai-p;	11 01 or 172/0 01 or 172/0 01 or 172/0 r "Applicat e informa under the e approp tent@nic.in @nic.in @atent@nic atent@nic	CAL/2001 /BOM/2001 MAS/2001 ion Status" is tion retrieved Patents Act riate Patent n c.in	dynamically retrie by this system is 1970. In case of Office or send y	eved not any your
Controll	er General of F	Patents, De	signs and	Trademarks		

图 IN-3

 代理人查询(Agent Register)检索入口见图 IN-4,包括:代理注册号(Search By Agent Number)、代理人姓名(Search By Agent Name)、代理人所在城市/州查询(Search By Agent State City)。



Welcome to IPAIRS Version 2.0



(2)检索结果

①授权专利

在图 IN-1 表格下拉菜单中选择检索字段、逻辑关系(等于,包含,同一句内,不包含, 不等于)、输入关键字后,点击检索按钮(Submit),即可进行检索。检索结果界面如图 IN-5 所示。检索结果以列表形式显示,并给出了包括记录号(No.)、申请号(Application Number)、 专利号(Patent Number)、发明名称(Title Of Invention)、申请日(Date Of Filing(National)) 在内的多项信息。

Total No Of Record(s) : 7 Back to Search							
No.	Application Number	Patent Number	Title Of Invention	Date Of Filing(National)			
1	4432/DELNP/2006	<u>258370</u>	"air pressure proportional damper"	01/08/2006			
2	6921/DELNP/2006	<u>258368</u>	"recombinant chemokine-antigen vaccine."	20/11/2006			
3	8685/DELNP/2007	<u>258366</u>	An isolated antibody that specifically binds a tat10772 polypeptide	12/11/2007			
4	5831/DELNP/2006	<u>258365</u>	"a process for increasing the bioavailability of protein active ingredients"	06/10/2006			
5	1353/MUM/2005	<u>258364</u>	A method for a network establishing apparatus to connect a device to a network	27/10/2005			
6	2134/DELNP/2006	<u>258362</u>	Biomass derived from recombinant plants expressing civps or intein modified proteins and related method	19/04/2006			
7	4042/CHENP/2006	<u>258359</u>	A multi-channel encoder, decoder and a method thereof	03/11/2006			

图 IN-5

点击专利号可查看该专利文献的详细信息(见图 IN-6),包括:

▶ 基本信息 (Details): 公布日 (Publication Number)、专利号 (Patent Number)、 授权日 (Grant Date)、IPC (Int Patent Classific)、PCT 申请日 (Pct Int Filing Date) 等;

▶ 申请人信息 (Applicant Details);

▶ 发明人信息 (Inventor Details);

▶ 摘要 (Abstract Text);

点击屏幕正下方的按钮 "View as Documents", 查看 PDF 格式的专利文献全文及与此项 专利相关的表格文件;

点击屏幕正下方的按钮"View as HTML",查看 HTML 格式的完整文本。



图 IN-6

②公布的专利申请

在图 IN-2 表格下拉菜单中选择任意检索字段,选择逻辑关系(等于,包含,同一句内, 不包含,不等于),并在相邻的文本框输入关键字/短语。需要注意的是,最多可在 11 个检 索栏中输入特定的关键字/短语,由布尔运算符(AND/OR)组合。

检索结果见图 IN-7。点击其中一个申请号(Application Number)可查看该申请文件的 扉页信息。

No.	Application Number	Publication Number	Title Of Invention	Date Of Filing	Priorty Country
1	<u>1317/MAS/1996</u>	29/2006	A back contact solar cell and a method of manufacturing the same	25/07/1996	Russia
2	00376/KOLNP/2006	31/2007	Evacuable flat panel solar collector	20/02/2006	N/A
3	00542/KOL/2005	29/2007	Development of a low-cost process for large area, high-performance, amorphous silicon double junction solar cell modules	23/06/2005	N/A
4	00680/CAL/1999	01/06	A coated solar control glass	03/08/1999	U.S.A.
5	01009/KOL/2005	32/2007	Solar mobile phone charger	07/11/2005	N/A
6	01115/KOLNP/2005	04/2007	Transparent thin-film solar cell module and its manufacturing method	10/06/2005	Japan
7	01166/KOL/2005	30/2007	1-5 solar pv-grid-kerosene gen set hybrid controller	21/12/2005	N/A
8	02608/KOLNP/2005	35/2009	Carrier for a solar energy reflector element	15/12/2005	Australia
9	0378/DEL/2005	40/2006	Semiconductor component, in particular a solar cell, and process for manufacture of same	21/02/2005	N/A
10	<u>1/MUM/2008</u>	29/2010	Relating to scan and track solar water heating system	01/01/2008	N/A
11	10/CHE/2006	31/2007	Solar insect killer and catcher	03/01/2006	N/A
12	1001/MUM/2000	25/2005	An improved solar thermal energy device	08/11/2000	N/A
13	1006/DELNP/2012	42/2012	Systems and methods of generating energy from solar radiation	03/02/2012	U.S.A.
14	1007/MUMNP/2008	29/2008	Solar power system	16/05/2008	U.S.A.
15	1008/DELNP/2012	42/2012	Solar cell and method of fabrication thereof	03/02/2012	U.S.A.

图 IN-7

③法律状态信息

在图 IN-3 所示的检索入口表格中,输入申请号和验证码,即可查询专利申请的法律状态。

查询结果页面(图 IN-8)列出了该专利申请的详细信息(Detail),包括申请号(APPLICATION NUMBER)、申请人(APPLICANT NAME)、申请日(DATE OF FILING)、优先权日(PRIORITY DATE)、发明名称(TITLE OF INVENTION)、公开日(PUBLICATION DATE)等;还列出了专利申请状态信息(Application Status)。用户可以进行多种操作,如:选择打印页面(Print)、查看完整的说明书(View Complete Specification)、查看电子注册(View E-register)、查看审查报告(View Examination Report(s))、查看规则/决定(Order(s)/Decision(s)),以及查看文档(View Documents)等。

Published Applicati	ons	Application Status	Agent Register		
		Detail			
BER	172/	DEL/2010			
	GE HI	EALTHCARE BIO-SCIENCES	S AB		
	28/01	1/2010 17:07:51			
	NA				
1	"COL	UMN FOR LIQUID CHROMA	TOGRAPPHY"		
(U/S 11A)	09/12	2/2011			
nation Date	Ap	plication Status 9/11/2013 12:33:17			
	-				
	A	pplication Awaiting E	xamination		
View Complete Spec View Documents Search Format 2/DELNP/2001 2/KOLNP/2001 or 172/C 72/MUMNP/2001 or 172/M	ificatio :AL/20 /BOM/ IAS/20	on View E-register View 001 2001 001	v Examination Repor	K(S)	
rmation under "Applic fore the information r under the Patents Act iate Patent Office or se ta: kolkata-patent@nic.in delhi-patent@nic.in nai: chennai-patent@ni bai: mumbai-patent@ni of Patents, Designs and	ation etriev 1970. end yo .in c.in c.in Trade	Status" is dynamically ret red by this system is not . In case of any discrepa ur comments to following emarks	trieved and is valid for any ncy you may email IDs:		
	Pablished Applicati BER (U/S 11A) (U/S 11A) (U	Pablished Applications BER 172/I GE HI 28/07 NA 28/07 I COL (U/S 11A) 09/12 Application Date 11 I COL (U/S 11A) 09/12 Application Date 11 I Application I Application View Complete Specification Application View Documents Search Format 2/DELNP/2001 r172/CAL/20 2/KOLNP/2001 or 172/CAL/20 72/MUMNP/2001 or 172/BOM 2/CHENP/2001 or 172/MAS/20 rmation under "Application effore the information retrieve under the Patents Act 1970 iate Patent Office or send yo ta: kolkata-patent@nic.in delhi-patent@nic.in ai: chennai-patent@nic.in ai: chennai-patent@nic.in ai: chennai-patent@nic.in ai: chennai-patent@nic.in ai: chennai-patent@nic.in ai: chennai-patent@nic.in for at the patents, Designs and Trade	Pablished Applications Detail Detail BER 172/DEL/2010 GE HEALTHCARE BIO-SCIENCES 28/01/2010 17:07:51 NA Incomposition Column FOR LIQUID CHROMM (U/S 11A) 09/12/2011 Application Status ation Date 19/11/2013 12:33:17 Application Awaiting E View Complete Specification View E-register View Documents Search Format 2/DELNP/2001 2/KOLNP/2001 or 172/CAL/2001 2/ZMUMNP/2001 or 172/BOM/2001 2/CHENP/2001 or 172/BOM/2001 2/CHENP/2001 or 172/MAS/2001 rmation under "Application Status" is dynamically refore the information retrieved by this system is not under the Patents Act 1970. In case of any discrepatiate Patent Office or send your comments to following ta: kolkata-patent@nic.in aite chennai-patent@nic.in ait: chennai-patent@nic.in ait: chennai-patent@nic.in ait: mumbai-patent@nic.in ait: mumbai-patent@nic.in ait: mumbai-patent@nic.in	Pablished Applications Application Status Agent Register Detail Detail Ref 172/DEL/2010 GE HEALTHCARE BIO-SCIENCES AB 28/01/2010 17:07:51 NA Internation Colspan="2">Colspan="2" Colspan="2" Colspan="2" Colspan="2" Colspan="2" <td cols<="" th=""></td>	

图 IN-8

④代理人查询

在图 IN-4 所示的检索入口表格中。选择代理号(Search By Agent Number)、代理人姓 名(Search By Agent Name)、代理人所在城市/州查询(Search By Agent State City)中的任 意一项进行查询;也可以选择"Show All Agent"选项,查询全部代理人。如图 IN-9,查询 结果列于下面的表格中,包括前缀(PREFIX)、代理号(AGENT NUMBER)、代理人姓名 (AGENT NAME)、代理人所在城市/州(AGENT CITY/STATE)和代理资格有效期(AGENT CONTINUED UP TO)。

			Welcome to IPAIRS Ver	sion 2.0	
d Pate	nts P	ublished Ap	plications Application	Status Agen	at Register
6) Searc	h By Agent Nu	Agent Register mber O Search By Agent Na	me O Search B	ly Agent State/City
	PREFIX	AGENT NUMBER	AGENT NAME	AGENT CITY/STATE	AGENT CONTINUED U
<u>Details</u>	N/PA	1000	MISS. NILAM K. GADANI	AHMEDABAD	2014
<u>Details</u>	IN/PA			NEW DELHI	
<u>Details</u>	IN/PA	1032	R. HARIKRISHNAN	BANGALORE	2014
<u>Details</u>					
<u>Details</u>	IN/PA	1037	JALPA S. MEHTA	MUMBAI	2014
<u>Details</u>					
<u>Details</u>	IN/PA	107	ANURADHA SALHOTRA	GURGAON	2014
<u>Details</u>	IN/PA	108	BISWANATH GHOSH	KOLKATA	2014
<u>Details</u>	IN/PA	109	DEBASIS DATTA	KOLKATTA	2014
<u>Details</u>					
<u>Details</u>	IN/PA	1101	ANURADHA VAIDYANATHAN	BANGALORE	2014
<u>Details</u>					
<u>Details</u>	IN/PA	1180	SHRI SOMANATH Chakraborty	BANGALORE	2014
<u>Details</u>					
<u>Details</u>	IN/PA	1183	Dr. KAUSALYA SANTHANAM	MUMBAI	2014
<u>Details</u>	IN/PA	119	BIBEK NARAYAN NANDI	CALCUTTA	2014
<u>Details</u>	IN/PA	1215	VAIBHAV VUTTS	HARYANA	2014
<u>Details</u>	IN/PA	1217	PRABHAKAR MANI PRATAP	GURGAON	2014
<u>Details</u>	IN/PA	1221	ROOPESH KUMAR PUNDHIR	GURGAON	2014
-	IN LVED A	1047			2014

图 IN-9

2.2 印度外观设计申请信息检索系统

● 检索资源地址

http://ipindiaservices.gov.in/designapplicationstatus/designstatus.aspx

● 检索资源语种

印地语、英语

● 资源收录范围及文献量

类型	收录起始时间
工业品外观设计	2009/4/1 以后

● 检索资源主要功能

(1) 文献检索

印度知识产权局官方网站的外观设计申请信息检索入口如图 IN-10 所示,可直接使用申 请号(Application Number)查询,点击"Click Here",可选择更多检索字段进行查询,如 图 IN-11 所示,检索字段包括申请人姓名(Applicant Name)、申请日期(Date of Filling)、 支付方式(Payment Mode)和受理局(Filed At)。

Office of Controlle	r General of Patents Designs and Trademarks
Indian Desig	gn Application Information Retrieval System
Application Number 222250	Please enter a Six digit numeric number
	Submit
Application Number Search Format Please enter a Six digit numeric numb	Don't know application number please Click here
Disclaimer: Application status is avail Design Application Status'' is dynamic legal proceedings under the Design comments to following email IDs;	able for the application filed on or after 1st April 2009 with application no 222230.The information under " cally retrieved and is under testing, therefore the information retrieved by this system is not valid for any Act 2000. In case of any discrepancy you may contact the appropriate Patent Office or send your mixed with the

图 IN-10



Office of Controller General of Patents Designs and Trademarks

Indian Design Application Information Retrieval System

Applicant Name :	Enter the Applicant Hame	
Date of Filing (Fromat DD/MM/YYYY) :	From To	
	Enter the Date Enter th	he Date
Payment Mode :	Cheque 🛛 Cheque/Draft No.	Enter the Draft or Cheque IIo.
Filed At :	KOLKATA 💌	
	Search Back	
Application Number Search Format Please enter a Six digit numeric number		

图 IN-11

(2)检索结果

印度知识产权局外观设计申请信息检索系统检索结果界面如图 IN-12 所示。检索结果以表格形式显示,列出了所查询外观专利的详细信息,包括申请号(APPLICATION NUMBER)、缴费收据号(CBR NUMBER)、缴费日期(CBR DATE)、文献名(NAME OF ARTICLE)、申请人姓名(NAME OF APPLICANT)、首次审查报告日期(FER DATE)、受理局(FILED AT)、申请的法律状态(Application Status)。



图 IN-12

3 相关国际(地区)或组织的检索途径

欧洲专利局的官方检索网站(Espacenet)可以检索印度知识产权局出版的专利文献, 文献收录范围为 1912 年 2 月 5 日至 2009 年 2 月 6 日,文献量为 54,365 篇。