



**INTELLECTUAL
PROPERTY INDIA**

PATENTS DESIGNS
TRADE MARKS
GEOGRAPHICAL
INDICATIONS



सत्यमेव जयते

Government of India

Office of The Controller General
Patents, Designs & Trade Marks
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No. CG/Order(TMR)/2011/139

Date : 26/24/11
25/4/2011

To
All the Heads of Office
Trade Marks Registry
Mumbai, Delhi, Kolkata, Chennai, Ahmedabad

Sir.

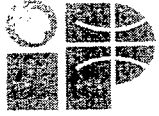
The functions of each Trade Mark Registry have been streamlined into 11 Sections and orders have been issued accordingly. 2 Sections have been created centrally for Examination, Registration and Vienna Codification.

- 1) Each section has to be placed at suitable location in the Trade Mark Registry as far as possible as per workflow. All staff of each section shall be placed in the same location.
- 2) Post the available supporting staff equitably to all the sections.
- 3) Provide additional supporting staff required through hired manpower and equipments like computers, scanners as required in each section.
- 4) Boards naming each section along with the name of Officer-in-charge and the names of supporting staff (permanent) shall be displayed in a prominent place in each section.
- 5) Officers and staff functioning in each section should not be seen wandering in other locations. Issue circulars to that effect and copies to be served on every official.
- 6) As Head of Office you should daily supervise and monitor the functions of each section and ensure that officers come in time and carryout their work without any unnecessary diversion of their time.
- 7) The streamlined Registry shall function with effect from 2nd May, 2011. NIC has been asked to provide necessary access Password and User Id to the officials empowered to work as per the circulars.

Yours faithfully,

(P.H.Kurian)

Controller General of Patents, Designs & Trade Marks



INTELLECTUAL
PROPERTY INDIA

Patents, Designs, Trademarks
CIN: U74101MH2004NPL100000



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CG/F/Order/2011/80 | 1/10

26/4/11
Date: 15th April, 2011

OFFICE ORDER – 1/2011-12

In super session to all earlier orders on the subject and pursuant to the assurance given to the Hon'ble Delhi High Court in Civil Writ Petition No.12505 of 2009 in M/s. Haldiram India Pvt. Ltd vs. Union of India, and to maintain a credible and reliable electronic TM record system, a **Receipt and EDP section (R&E)** at each Trade Marks Registry is hereby constituted with dedicated officials assigned **exclusively** for Receipt, Data Entry and digitization of all current and pending papers available in the present EDP section relating to TM applications including papers relating to post registration matters. Pending papers relating to opposition and post registration matters available in the respective section will be digitized and uploaded in the section itself. Together with the digitization of old records the whole TM record system will be maintained electronically.

The following officials shall be the officer incharge of R&E Section in the registries mentioned against their names.

1. TMR, Mumbai - Shri C.S.Uchil, Examiner of Trade Marks
2. TMR, Delhi - Shri Y.K.Bali, Examiner of Trade Marks
3. TMR, Chennai - Ms. M. Abiramasundaravalli, Examiner of Trade Marks
4. TMR, Ahmedabad - Shri B.U. Nanavati, Examiner of Trade Marks
5. TMR, Kolkata, - Shri Jeeten Kumar Dhal, Examiner of Trade Marks
(on Contract basis)

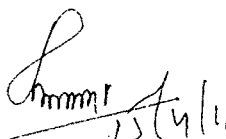
The following procedures shall be followed in the R&E Section

- 1 All fee bearing document received in the counter after issue of CBR shall be sorted and sent to EDP section for scanning and uploading and data entry in case of new application.
- 2 Electronically filed applications shall be uploaded into the system on a daily basis.
- 3 All non-fee bearing documents shall be received in a separate counter and acknowledged from the counter itself. A Clerk Assistant will man this counter.
- 4 Non fee bearing papers shall be sent to the Office Superintendent of the Section.
- 5 All daak addressed to the Registry shall be received by the Office Superintendent only or in his/her absence by the Assistant/Clerk of the Receipt Section.
- 6 The Superintendent of the Receipt section shall open the daak immediately on receipt from the Postman. Any fee bearing documents shall be sent to Cash Counter and CBR generated. Such paper along with non-fee bearing documents which needs to be digitized/data entered shall be sent by the Superintendent to the EDP.
- 7 All incoming papers relating to prosecution of a TM application or a Post Registration matters shall be digitized and uploaded. It is reiterated that as the Registry will maintain TM records only in electronic format no such papers shall be missed from digitization and uploading. It shall be the responsibility of R&E to ensure this.
- 8 In Post Registration request where multiple marks are involved in a single request, scanned copy of the documents shall be uploaded against every registered marks involved in the request.
- 9 Bulky documents like evidences in opposition proceedings etc may be obtained as CDs(digitized/scanned documents) from the parties so that digitization become faster.
- 10 Papers relating to Administration, RTI, TM Agent, general complaint etc. shall be sent in a separate folders on a daily basis by the Superintendent to the Head of Office for further action at his level. Such papers shall not be digitized.
- 11 Papers relating to opposition, assignment and registered user shall be sent to the concerned section for retention in the concerned file.
- 12 All other digitized papers shall be sorted and kept in separate boxes for at least six months in a systematic manner in the Registry. They may be destroyed at various

intervals after action relating to them has been carried out by the concerned section.

As there is a considerable pendency for digitization, an action plan for updation of digitization by 31st July, 2011 shall be prepared by the officer incharge of R&E in consultation with H.O. by 30th April, 2011 and sent to CG's office. The action plan should contain the estimated volume of works (no of pages), the manpower and equipment required etc. It shall be the responsibility of the H.O to provide the required manpower and equipment to the officer incharge of R&E.

The H.O. shall post required number of personnel to this section and they shall work under the supervision and control of the officer incharge of R&E. The personnel working in the R&E section shall be trained thoroughly in their job and supervised regularly by the officer incharge of R&E. All officials working this section shall bear in mind that this section is most crucial and sensitive section of the registry and their systematic work will only ensure credibility and reliability of the TM System. Further this section shall not have access to the public as well other officials of the registry.


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

1. Shri V. Ravi, Sr. JR, TMR, Mumbai
2. Head of Office
Trade Marks Registry
Mumbai/Delhi/Chennai/Kolkata/Ahmedabad
3. The above concerned officials
4. Notice Board
5. Office copy



INTELLECTUAL
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Patents/Designs/Trademark
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CG/F/Order/2011/81

26/04/11
Date: 15th April, 2011

OFFICE ORDER – 2/2011-12

In continuation of Circular No. 17 of 2010 dated 16th March, 2011, in order to stream line the working of Trade Marks Registries, a Record, Inspection and Legal Certificate (RI&LC) Section is hereby constituted with the functions and responsibilities detailed below. The following officers shall remain exclusive incharge of this section.

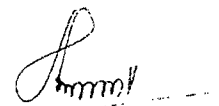
1. Trade Marks Registry, Mumbai - Shri R. D. Kamtekar – Examiner of Trade Marks
2. Trade Marks Registry, Kolkata -Smt Jayanthi Sen – Examiner of Trade Marks
3. Trade Marks Registry, Chennai - Shri R. S. Krishnan – Examiner of Trade Marks
4. Trade Marks Registry, Delhi – Shri Jai Prakash - Examiner of Trade Marks
5. Trade Marks Registry Ahmedabad - Shri Sikander Singh – Examiner of Trade Marks.

Functions of Responsibilities

1. **Serialisation**: - Serially arrange all available files in the compactor if not already done. This exercise shall be complete by 31st May, 2011.
2. **Verification and uploading of digitized records** : - This section shall verify and upload all the un uploaded digitized records available in each registry. RI&LC section of TMR Mumbai shall upload the electronic records contained in 279 CDs available with HO, TMR, Mumbai.
3. **Digitisation of old records** – This section shall take up the digitization of old records available in the record room. This digitization should be completed by 31st Marc, 2012 as undertaken by the Government through affidavit filed in High Court of Delhi in W.P. (C) 12505/2009. A digitization division shall be created within the Record Room to be manned by required number of personnel and with required equipments. The H.O. shall provide this requirement in consultation with the officer incharge of the section.

4. **Re-construction of missing files** – The missing 44,404 registered TM files shall be re-constructed by this section as per the procedure described in a separate circular in this regard.
5. **Inspection of files/document:** Inspection of documents u/s 148 of the TM Act shall be carried out in this section. An Inspection room/space shall be arranged with a computer with internet access, preferably in the ground floor and accessible to the public without entering other sections. On production of fee receipt the applicant may be allowed to inspect either the physical file or the digitized file through the computer, if available in the digitized format. Public shall not be allowed to enter the record room.
6. **Issue of Legal Certificate :-** This section shall issue the legal certificates applied under Form TM-46/70. A support staff of this section shall process on daily basis request filed as available in the electronic module , prepare the certificate and get it signed by the officer incharge and despatch to the applicant through Registered Post and despatch details shall be entered in the system.
7. **Duplicate Registration Certificate :** - Duplicate Registration Certificate under Form TM-59 shall be generated and dispatched in the same manner described in item 5 above. No hand delivery of duplicate registration certificate is allowed.

A physical audit of all registered files in the record room shall be undertaken by the record incharge once in three months and by the HO once in six months and both shall report on the audit to the Controller General.



(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

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2. Head of Office
Trade Marks Registry
Mumbai/Delhi Chennai Kolkata Ahmedabad
3. The above concerned officials
4. Notice Board
5. Office copy



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भारत सरकार, नई दिल्ली



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CG/F/Order/2011/82/142

Date: 2.6
15th April, 2011

OFFICE ORDER – 3/2011-12

In order to streamline the functioning of Trade Mark Registries, a TRIBUNAL SECTION is hereby constituted with functions and responsibilities detailed here under to deal with Trade Mark Opposition and Rectification matters. The following officials shall be responsible for the administration of the section in the Registries mentioned against their name.

- | | |
|---------------------|--|
| 1. TMR, Mumbai - | Shri M. M. Wakodikar – Examiner of Trade Marks |
| 2. TMR, Delhi - | Shri Arun Kumar – Examiner of Trade Marks |
| 3. TMR, Chennai - | Shri Venkatesan Rajamani – Examiner of Trade Marks |
| 4. TMR, Ahmedabad – | Shri Devendra Kumar – Examiner of Trade Marks |
| 5. TMR, Kolkata - | Shri Birendra Jaiswal – Examiner of Trade Marks |

The following officers shall be Hearing Officers for opposition and rectification matters.

- | | |
|--------------------|--|
| 1 TMR, Mumbai - | Shri Dharam Singh, Deputy Registrar and
Shri U L Barve, Sr. Examiner of Trade Marks |
| 2 TMR, Delhi - | Smt. Prem Lata, Assistant Registrar of Trade Marks |
| 3 TMR, Chennai - | Shri V. Natarajan, Deputy Registrar |
| 4 TMR, Ahmedabad – | Shri S B Palo, Senior Examiner of Trade Marks |
| 5 TMR, Kolkata - | Shri R. A Tiwari, – Assistant Registrar of Trade Marks |

Functions and responsibilities are :-

- 1. Serialisation** : The existing oppositions files shall be arranged serially in the order of date of TM application and clubbed with application files. This work should be completed within three months from the date of issue of this order. Wherever there is no entry in the electronic system enter the details of opposition in the system through backlog module. Similar serialization and data entry shall also be done for pending rectification cases in this section.
- 2. Digitisation** : All documents relating to pending opposition/rectification cases shall be digitized and uploaded in the server. A separate digitization division shall be created with required manpower and equipments within the section itself. This work shall be completed by 31st December, 2011. Such digitization shall be done before the matter is

taken for hearing. Only TM-5, TM-6, TM-7, TM-26, TM-27, TM-43 Affidavits, PA shall be digitized.

3. **Opening of files and Clubbing of current papers** : On receipt of TM-5/TM-6/TM-7/TM-26/TM-27/TM-43 and other papers from R&E Section open a new file or club with the existing file as the case may be.
4. **Service of TM-5/TM-6/TM-26/TM-43** : The section shall serve all the pending TM-5, TM-6, TM-26 and TM-43 within three months from the date of this order. Current TM-5, TM-6, TM-26 and TM-43 shall be served on day to day basis through Registered/Speed Post.
5. **Abandonment u/s 21(2)** :- The officer in charge shall dispose the matter of an opposition through abandonment u/s 21(2) as enabled by the electronic module. Abandonment order shall be despatched to the opponent through Regd./Speed Post.
6. **Fixing of Hearing** : It shall be the duty of the officer in charge of this section to prepare cause list as per seniority of the TM application and submitted to Controller General for allocation of Hearing Officer where there is more than one Hearing Officer in a Registry. The cause list shall be uploaded in the website. Hearing notices shall be sent through Regd./Speed Post.
7. **Giving effect to the orders in opposition and rectification** : The officer in charge of TRIBUNAL SECTION shall give effect to the final decision through electronic module in an opposition and rectification matters and a copy of the order shall be sent to the parties concerned through Regd./Speed post.
8. **Uploading of orders** : - All the final orders shall be uploaded in the official website of IPO by the officer in charge of TRIBUNAL SECTION
9. All despatches from this section shall be carried out from this section itself and despatch proof maintained electronically.

No public shall be entertained in the section.

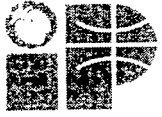
The Head of Office shall provide the required manpower and equipments for smooth functioning of the section.


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

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2. Head of Office
Trade Marks Registry
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3. The above concerned officials
4. Notice Board
5. Office copy



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Patents, Designs, Trademarks
and Geographical Indications



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CG/F/Order/2011/83 / 143

Date: 15th April, 2011

OFFICE ORDER – 4/2011-12

In order to streamline the functioning of Trade Mark Registries, a **Show Cause Hearing (SCH)** Section is hereby constituted with functions and responsibilities detailed here under. The following officials shall be responsible for the administration of the section in the Registries mentioned against their name. They are authorized to hear and dispose off such matters.

- | | | |
|------------------------------------|---|---|
| 1. Trade Marks Registry, Mumbai | - | Shri S.M.Togrikar, Sr.Examiner of TM |
| 2. Trade Marks Registry, Delhi | - | Shri I. S. Juneja, Sr. Examiner of TM |
| 3. Trade Marks Registry, Chennai | - | Shri M. Habibulla, Examiner of TM |
| 4. Trade Marks Registry, Ahmedabad | - | Shri S. B. Palo, Sr. Examiner of TM |
| 5. Trade Marks Registry, Kolkata | - | Shri R. A. Tiwari, Asstt. Registrar of TM |

Functions and Responsibilities of this section are :-

- 1 **Show Cause Notice** : This section shall generate Show Cause Notices and sent to the applicants through Regd. Post./Speed Post.
- 2 **Cause List** : Preparation of cause list and upload the same in IPO website and should be on basis on year wise seniority
- 3 **Grounds of Refusal** : This section shall dispose off form TM-15 giving the grounds for refusal of a mark.
- 4 **Withdrawal u/s 19** :- The officer incharge of this section shall hear and dispose off cases u/s 19 on reference from the CGPDTM . Any officer not below the rank of an Assistant Registrar of Trade Marks may bring to the notice of the CGPDTM about an application accepted in error, any time before the registration. On receiving such a reference from such officers the CGPDTM may on his prima facie satisfaction refer such matter to the

✓ 2
office incharge of this section. On receipt of such reference from CC PDIM the officer incharge shall issue notice u/s 19 to the applicant and dispose off the matter as per law.

5. Doubtful withdrawal of TM application or doubtful consent letter received along with reply to examination report as received from the examination section shall be dealt by issuing confirmatory notice to the parties concerned by speed post.

All the functions shall be carried out through the electronic module.

(P.H. Kurian)
(P.H. Kurian)

Controller General of Patents, Designs and Trade Marks

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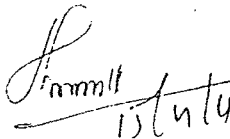
CG/F/Order/2011/85 | 144

Date: 15th April, 2011

OFFICE ORDER – 5/2011-12

In exercise of powers conferred upon me by sub section 2 of section 3 of The Trade Marks Act, 1999 I hereby authorize the following officers to discharge the functions of Registrar of Trade Marks under section 115 of said act. The officers shall discharge this function under my superintendence and direction.

- | | | |
|------------------------------------|---|---|
| 6. Trade Marks Registry, Mumbai | - | Shri Dhram Singh, Deputy Registrar of TM |
| 7. Trade Marks Registry, Delhi | - | Smt. Prem Lata, Asst. Registrar of TM |
| 8. Trade Marks Registry, Chennai | - | Shri V Natarajan, Deputy Registrar of TM |
| 9. Trade Marks Registry, Ahmedabad | - | Shri S. B. Palo, Sr. Examiner of TM |
| 10. Trade Marks Registry, Kolkata | - | Shri R. A. Tiwari, Asstt. Registrar of TM |


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

5. Shri V. Ravi, Sr. JR, TMR, Mumbai
6. Head of Office
Trade Marks Registry
Mumbai/Delhi/Chennai/Kolkata/Ahmedabad
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8. Trade Mark Journal.
9. Office copy



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CG/F/Order/2011/86 | 145

Date: 15th April, 2011

OFFICE ORDER – 6/2011-12

In order to streamline the functioning of Trade Mark Registries an **Assignment and Registered User (A&R)** section is hereby constituted to carry out the functions of Assignment, Transmission, Permitted Use Registration, Splitting of mark, cancellation of marks and other related functions.

- | | | |
|------------------------------------|---|--|
| 1. Trade Marks Registry, Mumbai | - | Smt. S.V. Desai, Examiner of TM |
| 2. Trade Marks Registry, Delhi | - | Smt. Nikita Awasti, Examiner of TM |
| 3. Trade Marks Registry, Chennai | - | Shri Venkatesan Rajamani, Examiner of TM |
| 4. Trade Marks Registry, Ahmedabad | - | Shri Sikhander Singh, Examiner of TM |
| 5. Trade Marks Registry, Kolkata | - | Smt. Ratan Shalya, Sr. Examiner of TM |

Functions and Responsibilities of this section are :-

1. **Serialisation** : Arranging the pending applications for Assignment and RU in year wise order.
2. **Digitisation** : Digitisation of pending applications and uploading the same in the system.
3. **Processing of application** : All request in form TM-14, TM-16 (filed under rule 91), TM-17, TM-19, TM-20, TM-23, TM- 24, TM-35, TM-38 shall be processed and given effect through the electronic module. Pending application shall be processed in the order of seniority.
4. **Ensure Publication** : Take steps to publish the changes made in the register wherever required under the law through the electronic module.
5. **Show Cause Hearing** : Wherever an application is not allowable due to deficiency or non fulfillment of any conditions required under the law, generate show cause notice fixing a hearing date, hear and dispose the matter. Wherever the decision is adverse to

the applicant a speaking order shall be issued to the party by Regd. Post. Hearing notices shall be sent by Regd./Speed Post.

The Head of Office shall provide required support staff for smooth functioning of this section.


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

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CG/F/Order/2011/87/153

Date: 15th April, 2011

OFFICE ORDER – 7/2011-12

In continuation of Circular No. CG/F/Circular/2011/32 dt 03/02/10 and supersession of any other orders issued in this regard, in order to steam line the functioning of Trade Marks Registries a Section namely **Renewal, Restoration and Amendment (RR&A)** is hereby constituted with functions and responsibilities detailed as under. The following officials shall be responsible for the administration of the section.

- | | |
|------------------------------------|---|
| 1. Trade Marks Registry, Mumbai | - Smt. P.S. Dabholkar, Examiner of Trade Marks |
| 2. Trade Marks Registry, Delhi | - Smt. Vijayshree, Examiner of Trade Marks |
| 3. Trade Marks Registry, Chennai | - Shri M. C. Ranjit, Examiner of Trade Marks |
| 4. Trade Marks Registry, Ahmedabad | - Shri Devendra Kumar, Examiner of Trade Marks |
| 5. Trade Marks Registry, Kolkata | - Shri Virendra Jaiwal, Examiner of Trade Marks |

The section shall carryout the following functions:-

1. All the O-3 notice shall be electronically generated and dispatched by Registered Post by the office incharge Renewal section every working day of the month for renewal that falls due after three months.
2. All pending TM-12, TM-13 and TM-10 and accompanying document as required under Rule shall be scanned and uploaded through digitization section.
3. The officer in charge of renewal will electronically receive renewal applications strictly on priority basis in a lot of 20 each for effecting renewal
4. The cut off date for online processing will be from 1.1.2006.
5. On fulfillment of legal requirements the renewal shall be effected in the system and renewal intimation shall be generated and despatched to the address only of registered proprietor, agent on record or to the address for communication on record, and in no other person's address. The intimation shall be sent by Regd./Speed Post to such address. The renewal intimation shall also be sent to publication in the ensuing Journal.
6. In case TM-12 is filed after the due date of renewal, suitable intimation is to be sent to the application to pay surcharge or restoration fees as the case may be. In case of restoration of application TM-13 it shall be dealt with in the same manner as above wherever applicable.

7. The officer incharge of renewal section shall update validity and also the history details regarding details of last renewal after uploading supporting document in the server.
8. Renewal or restoration should be auto published in the Trade Mark Journal.
9. This section shall dispose off Applications made in form TM-33, TM-34, 36 and TM-50 by affecting the changes in the database. Such form should be support by an affidavit along with documentary proof, wherever appropriate.

Head of Office should provide the required manpower support and infrastructure


(P.H.Kurian) 28/11/11

Controller General of Patents, Designs and Trade Marks

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CG/F/Order/2011/89/1116

Date: 15th April, 2011

OFFICE ORDER NO. 8 OF 2011-12

In order to streamline the functioning of the Trade Marks Registry a Pre-registration Amendment Section (PRAS) is hereby constituted to deal with requests received in form TM-16 (other than u/r 91) and for issuance of corrigenda; to readvertise trade marks; for correction of data entry error and corrections in registration certificates.

The following officials are authorized to deal with the same.

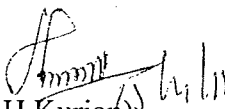
TMR, Mumbai	- Smt. Geeta Hareet, Examiner of Trade Marks
TMR, Delhi	- Ms. Nupur Sharma, Examiner of Trade Marks
TMR, Chennai	- Smt. M Mahalakshmi, Examiner of Trade Marks
TMR, Ahmedabad	- Shri Sikander Singh, Examiner of Trade Marks
TMR, Kolkata	- Shri Jeeten Kumar Dhal, Examiner of Trade Marks

The functions of section are as follows :-

1. All request for change made in form TM-16 including change of address, change of attorneys should be dealt by this section. Assignment of a pending mark through TM-16 shall only be done if the mark is of prior use.
2. Request for issuance of corrigenda in a published mark shall be dealt by this section. Any amendment of **user claim** through TM-16 if applied after publication of application shall be re-advertised. No readvertisement of trade mark already published should be done unless there are material errors affecting third party interest.

3. Correction/errors in Registration certificate shall be rectified by this section and new certificate shall be issued after surrender of old certificate.

Head of Office should provide the required manpower support and infrastructure

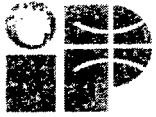


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

1. Shri V. Ravi, Sr. JR, TMR, Mumbai
2. Head of Office
Trade Marks Registry
Mumbai/Delhi/Chennai/Kolkata/Ahmedabad
3. The above concerned officials
4. Office copy



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CG/F/Order/2011/147

Date: 15th April, 2011

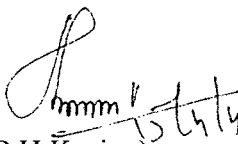
OFFICE ORDER – 9/2011-12

In order to streamline the functioning of Trade Mark Registries, a **Legal Section cum RTI (LSR)** is hereby constituted to deal with all cases in High Court, IPAB, Supreme Court and other Courts, where Registrar of Trade Marks is a party to the proceedings. This section will also look after service related matters and petitions filed at Central Administrative Tribunal, Labour courts etc. The following officials shall be In Charge of this section in the registries mentioned against their name.

- | | | |
|------------------------------------|---|---|
| 1. Trade Marks Registry, Mumbai | - | Shri Dharam Singh, Deputy Registrar of TM |
| 2. Trade Marks Registry, Delhi | - | Smt. Prem Lata, Asst. Registrar of TM |
| 3. Trade Marks Registry, Chennai | - | Shri V Natarajan, Deputy Registrar of TM |
| 4. Trade Marks Registry, Ahmedabad | - | Shri S. B. Palo, Sr. Examiner of TM |
| 5. Trade Marks Registry, Kolkata | - | Shri R. A. Tiwari, Asstt. Registrar of TM |

The functions of this section are as indicated below:

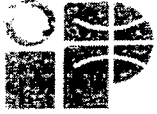
1. **Interaction with the Government counsel**. The In Charge should prepare a draft parawise comments and where necessary take approval of CGPDTM to engage Government Counsel to defend the interest of the Department.
2. To produced records called for by various courts
3. To update the progress of various cases through electronic module.
4. To dispose off RTI request as per procedure.


(P.H. Kurian)

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CG/F/Order/2010/148

Date: 26/04/11

OFFICE ORDER NO.10 OF 2011

Examination, Publication and Registration Section (EPR) Section at Mumbai

As a part of streamlining the working of the Trade Marks Registry and in supercession of the previous order on the subject dated 14.09.2010 a Section namely **Examination, Publication and Registration Section (EPR)** is hereby constituted. The functions & responsibilities of the section and officials responsible for these functions are detailed below.

The section is established in TMR MUMBAI and will be under overall supervision of Shri Amar Prakash, Deputy Registrar of Trademark.

1. Examination of Trademark applications

Examiners of Trademarks in this section shall examine new TM applications randomly allotted to them in a lot of 20 applications at a time automatically through the electronic system. The result of their examination in each application shall be forwarded through the system to the Supervisory Examiners. The Supervisory Examiner shall review the result, may approve the same, and modify the report if required. They will receive it in a lot of 40 applications at random automatically allotted through the system. Accepted marks shall be posted to the journal module for publication. Objection report as approved by the Supervisory Examiner shall be uploaded in the system.

Designated support staff will take print outs of the examination report on a daily basis, get it signed by the Supervisory Examiner concerned and despatch to the applicant/ authorized agent maintaining e-records for despatch.

A separate team of support staff shall take print outs of examination report pending for despatch since 01.04.2010 from the system along with a covering letter notifying the applicant/agent to the effect that the time limit of one month applicable as per rule 38(5) shall commence from the date of despatch. However such despatch is not required in case the reply to examination report has already been submitted by the applicant and available on the system. The pending examination report dispatch shall be complete by

31.07.2011, HO TMR Mumbai shall provide required number of staff for completing this task in time.

The following Examiners and Supervisory Examiner shall function in this section.

Sr. No.	Name of Examiner	Supervisory Examiners
1	Rohit Motkari	Shri. N Babu, Sr. Examiner
2	Smt. M.M.Kadam	Shri. D. A. Vardam, Examiner
3	Anirban Gupta	Shri S.B.Kale, Examiner
4	Laishram Babita	Shri S.U.Bore, Examiner
5	Sanjay Kumar Sharma	
6	Lahane Sanjeev S.	
7	Smt. Pavithra Bipin	
8	Smt. P.S.Pandya	
9	Prakalpa Sharma	
10	Smt. Dipmala P. Mathapati	
11	Smt.Rajneesh Sharma	
12	Smt. Suvarna Rajesh	
13	Susheela Kumar Pandey	
14	Smt. Hemlata Chaudhary	
15	Rajnikant	

Functions of Examination Section:

- a) Examination of application will be done through the system in lots of 20 per Examiner
- b) Examination will be done in accordance with the Trade Marks Act, 1999 and Rules there under; and both accepted and objected cases should be transmitted to the Supervisory Examiner for approval
- c) Where there are errors in the application such as goods/services, unclear label, etc, the same should be sent to EDP section
- d) The Supervisory Examiner shall dispose of the application received by them through the system.
- e) Where the examination is found to be defective, the Supervisory Examiner should resend the application to the concerned Examiner for re-examination. Where the application is accepted or ordered to be advertised before acceptance by the Supervisory Examiner, it should be headed to the journal module and would appear in the weekly Trade Marks Journal in the following issue.

Reply to Examination Report

The replies received from the Agent/Attorney/Applicant to the examination report digitized and uploaded to the server shall be considered by the following officials, they shall also deal with withdrawal of a TM application.

1. Shri M. B. Sadare, Examiner of Trade Marks
2. Shri A. G. Amare, Examiner of Trade Marks
3. Shri J.T.Anthony, Examiner of Trade Marks
4. Shri V.B.Anjarlekar, Examiner of Trade Marks

They shall consider the reply keeping in mind the following :-

1. In case of withdrawal the officer shall verify the genuineness of the withdrawn by comparing the signature with Application for registration. In case doubt the withdrawn request the matter may be referred to the show cause section with a note.
2. In case where the consent letter from a proprietor of a previously registered mark is part of the examination report, such matter shall also be referred to show cause section with a note. However if the consent letter is filed through a Attorney or Agent with the PA of the consenting prior registered proprietor such reference to show cause section is not required.
3. In other cases they will consider the reply and accept the mark and advertise the same or order advertisement before acceptance or forward the matter to show cause section.

Publication:

Shri K. Mahapatro, Librarian will be in charge of this Section. The following shall be published in the weekly journal.

1. Public Notices and notifications.
2. Accepted/ABA Trade Mark applications
3. Corrigenda and re-advertisements
4. List of renewed trade mark
5. Assignments/transmission
6. International non-proprietary names as published by WHO from time to time.

HO TMR Mumbai shall provide required supporting staff to this section

Registration:

The following officers shall function in this section

Sr.No	Name of Officer
1.	Beo Joseph, Examiner
2.	Smt. Suchitra Sanjay Naik, Examiner of Trade Marks (on contract basis)
3.	Smt. Jyothi Anilkumar, Examiner of Trade Marks (on contract basis)

Trade Mark applications which are due for registration as available through the module shall be registered by printing registration certificates. The officers shall verify the corresponding Journal to ensure that the mark has been published correctly. If the advertisement has an error with regard to class, goods/services, mark and user date the officer shall send the application for re-advertisement to PRAS.

Head of Office should provide all necessary infrastructural support.

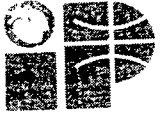


(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

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CG/F/Order/2010/149

26/04/11
Date: 25/4/11

OFFICE ORDER NO.11 OF 2011

As a part of streamlining of Trade Marks Registries an **Establishment, Accounts and Periodical Report (EAPR)** section is created in each Registry with the following functions

Establishments

- Attendance and leave related matters
- ACRs of Group C
- Security instructions
- Recruitment through employment exchange
- Service matters and staff related issues
- Library
- Records pertaining to government residential quarters
- All maintenance
- Any Other activities as and when directed or called for

Accounts

- Plan and Non-Plan budgeting
- Preparation of bills pertaining to Plan and Non-Plan
- Salary , T.A., LTC, Medical and other miscellaneous bills of employees
- Purchase and Stores
- Filing of returns
- Meeting arrangement
- TDS and IT returns
- Any other activities as and when directed

Periodical Report

All periodical report relating to Plan, Non-plan and Establishment related.

This section will be manned by DDO under supervision of Head Of office

HO's shall provide required number of supporting staff to this section.



(P.H.Kurian)

Controller General of Patents, Designs and Trade Marks

To:

1. Head of Office, TMR, Mumbai/Delhi/Kolkata/Chennai/Ahmedabad
2. DDO's, TMR, Mumbai/Delhi/Kolkata/Chennai/Ahmedabad



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CG/F/Order/2010/150

26/04/11
Date: 25/4/11

OFFICE ORDER NO.12 OF 2011

As a part of streamlining of Trade Marks Registries a Section namely **Vienna Codification Section (VCS)** is created in Trade Marks Registry, Mumbai to deal with International Classification of the Figurative Elements of Marks under the Vienna Agreement. The following officers shall function in the section for doing the codification.:

1. **Smt. D. D. Prabhu, Examiner of Trade Marks**
2. **Smt. Lalita Meretia, Examiner of Trade Marks (on short term basis)**
3. **Ms. Preeti Daotre, Examiner of Trade Marks (on short term basis)**
4. **Smt. Veena Gokarna, Asstt. Examiner of Trade Marks.**

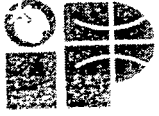
These officials will codify the figurative elements appearing on the applications for registration of Trade Marks available in the system as per International Classification of the Figurative Elements of Marks under the Vienna Agreement through the electronic module and enter the applicable codes in the electronic record on a day to day basis.


(P.H.Kurian)

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CG/F/Order/2010/151

26/07/11
Date: 25/7/11

OFFICE ORDER NO.13 OF 2011

As a part of streamlining of Trade Marks Registries, a section namely **Copyright Search Certificate Section (CSC)** is created for issue of Search Certificate u/s 45(1) of Copyright Act. The following officers shall function under this section.

TMR, Mumbai
TMR, Delhi
TMR, Chennai
TMR, Ahmedabad
TMR, Kolkata

- U. L. Barve, Sr. Examiner of Trade Marks
- Jai Prakash, Examiner of Trade Marks
- M. Habibulla, Examiner of Trade Marks
- Sikander Singh, Examiner of Trade Marks
- Smt. Jayanti Sen, Examiner of Trade Marks

The officers shall issue the search certificate as per procedure established through office circular no. dt ...

(P.H. Kurian)

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