E-FILING OF

PATENT APPLICATIONS

IN INDIA

A User Manual

USER MANUAL

This User Manual explains the steps for electronic-filing (e-Filing) of a Patent Application in India. This Manual details various steps and the procedure that is to be followed while filing a patent application on-line. The Patent Office would gradually switch over to a completely paper-less office in a phased manner. Development of back-end operation for e-processing is in an advanced stage. The Patent Office in the coming months would provide on-line tutorials to guide customers at every steps from e-Filing and electronic processing (such as examination, correspondence, publication, opposition, hearing, registration, renewal and assignment), thus, truly facilitating a transparent, error free and round the clock services. It wishes to acknowledge the contribution of National Informatics Centre (NIC) for this dream project.

Certifying Authority

The Information Technology (IT) Act, 2000 provides for use of Digital Signatures on the documents submitted in electronic form in order to ensure the security and authenticity of the documents filed. Certification Agencies are appointed by the office of the Controller of Certification Agencies (CCA) under the provisions of IT Act.

The Controller General of Patents, Designs and Trade Marks (CGPDTM) has stipulated a Class-III category certificate for e-Filing of Patent and Trade Marks applications in India. A person who already has a specified Digital Signature Certificate (DSC) for any other application can use the same for e-filing of a patent application and is not required to obtain a fresh DSC.

The e-Filing systems for Patents and Trade Marks are designed to support Class III Digital Signature Certificates (DSCs). You may obtain your Class III DSC from the following Certifying Authorities in India :

1. (n) Code Solutions
2. TCS
3. Safe Script

Authorised Bank

The e-Filing systems for patent and trade mark are designed to support Electronic Fund Transfer (EFT) using State Bank of India (SBI) & Axis Bank Payment Gateways. You may use Internet Banking facility of SBI & Axis Bank for Electronic Fund Transfer.

Pre-requisites for e-Filing

- Your system must have Client Software application that can accept the data and documents for e-Filing of patent applications and later upload it to the XML version with Digital Signature. The Client Software for e-Filing can be downloaded from e-Filing portal of the office of the CGPDTM after on-line registration.

- A individual or a Patent Agent or a proprietor or an organisation can file its applications electronically.

- Without registering, no individual can file an application on-line.

- For e-Filing, your computer must have the following components installed :-

  ➢ Windows-XP
  ➢ Internet Explorer v6.0 and above
  ➢ Digital Signature
  ➢ Broadband connectivity for Internet
  ➢ .NET Framework

Procedures and Guidelines for e-Filing of Patent Applications

1) Who can file a patent application on-line?

Any Individual (Indian national or foreigner) or a registered Patent Agent can file a patent application on-line.

2) How to create your Login account so as to access on-line Patent Application Filing System?

If the applicant is totally new to this system and does not have User ID, he can register on-line. After successful registration & uploading Digital Signatures, the user will get system generated user name and password to access the system

3) From where can I get the Digital Signature?

You can get your Digital Signatures from(n) Code Solutions, TCS & Safe Script.

4) Where can I deposit the fee?

You can deposit the fee through SBI & Axis Bank Net Banking.

<u>**e-Filing of Patent Applications**</u>

1.0   URL for e-Filing

The URL for accessing the portal for e-Filing of patent applications is :

http://ipindiaonline.gov.in/on_line

This is the main page of the portal for e-filing of patent applications to Indian Patent Office (IPO). All users have to register themselves on-line for using the system. Click on the link '***On-line Registration for New User'.***

2.0   On-line Registration of New User

For the registration of a new user, he will have to fill and submit the following on-line registration form by clicking on the link ***'On-line Registration for New User'***.

On-line Registeration of New User

Fields marked with an asterisk * are required.

Type of Applicant	Natural Person ▾
Agent Code (if registered)	
*Applicant's Domicile/Place of Business	
For Foreign Applicants -- Address for service in India	
*Name of Applicant	
Office Address	
Town/City/District	
State/Union Territor	
Pin Code	
Telephone Number(with STD/ISD Code)	
* E-mail Id	
*Select Identity Proof	-- ▾
*Identity Details No.	

Organisation Details [Corporate Office/Head Office/Registered Office Address etc.]
* Mandatory for Organisation/Legal Entity

*Organisation Name	
*Address	
Town/City/District	
State/Union Terriotory	
PIN Code	
Telephone No.(STD/ISD)	
Corporate Web Site(URL)	
*Income Tax Account No.	

If You Forget Your Password...

Secret Question	- ▾
Your Answer	

17962

*Enter the code shown above:

Register

After filling up the form successfully when the user clicks on the '*Register'* button, the system asks to upload user's Digital Signature.
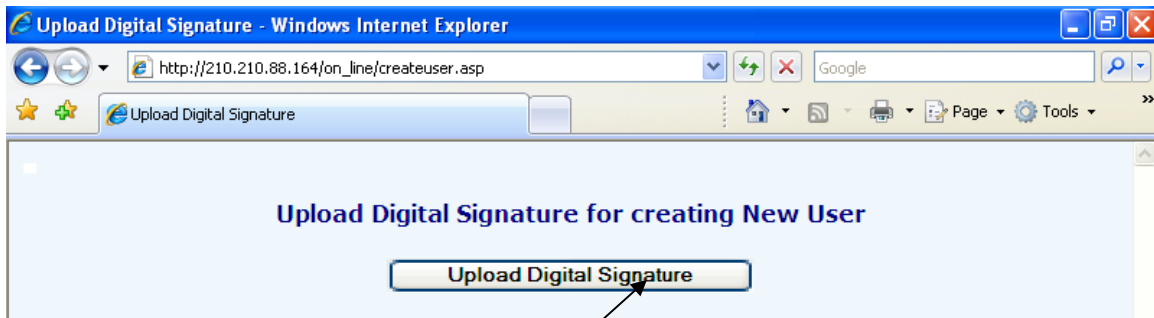
Click on the button **'Upload Digital Signature'** to upload Digital Signature of the user. Select the certificate and click on OK Button.
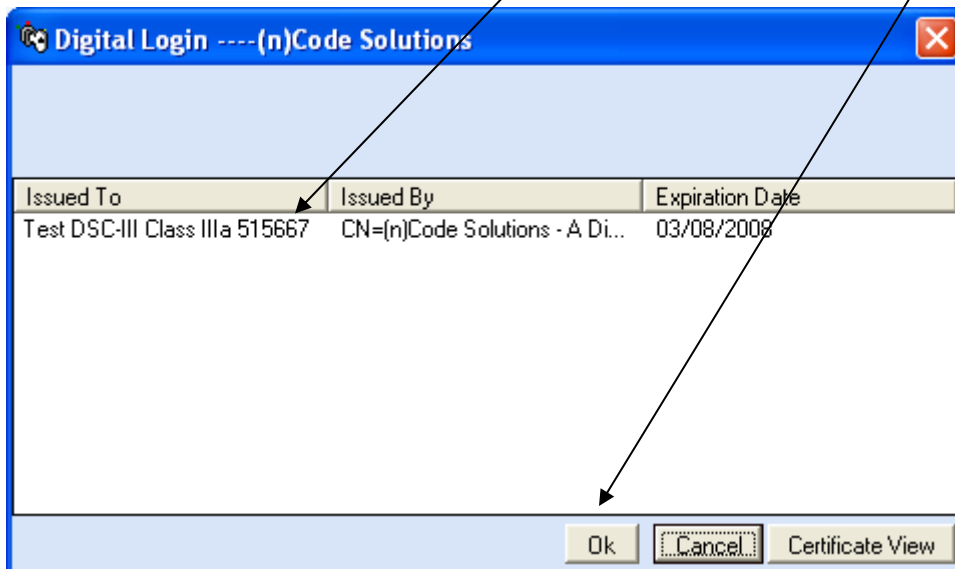
After the successful registration user will be given a system generated User ID and password to access the system as shown below.
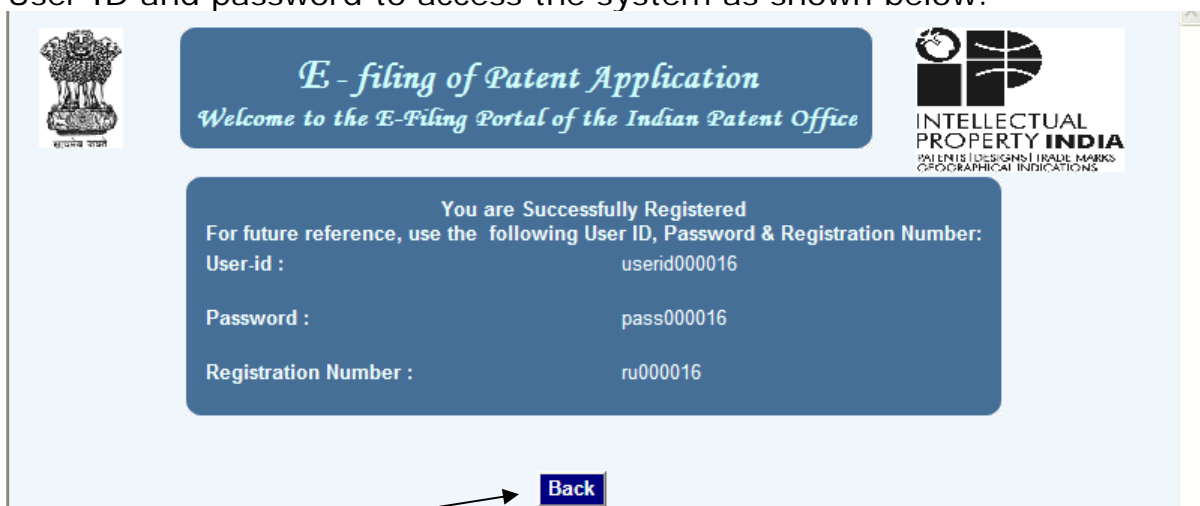
Click on **Back** Button to go back to main screen. This password has to be changed by the concerned user after the first login.

3.0   Login into the system

The user has to provide this **User ID** and **Password** at the time of first login. Now the following screen is displayed. Change the password here.

After the successful password change option the following page is displayed. This web page would provide all the options present in the online patent filling application.

All the options are in a step-by-step manner. This means that if a new user is trying to work through the portal then he will have to follow the top-to-bottom approach.

The steps are as follows:

i   Download the Client Software on your local machine on which you are working by clicking on the option *'Download the Client Software'*.

ii   Using this client software, create and digitally sign the patent application XML file.

iii   Upload the patent application using the option '*Upload Digitally Signed Patent Application [.xml.p7sec File]'*.

iv   The application fee is automatically calculated at the time of uploading the Application.

v   Make the Payment by Clicking on the option *'Payment(EFT/ Credit Card) Gateway for Fee Transaction'*.

vi   You can view the list of filed application & applications by click on option '*List of Filed Application(s)'*.

vii   To check the status of your application, click on the option '*Know Status of Application(s)'*.

viii   To generate or print the application, click on the option '*Generate & Print Acknowledgement'*.

ix   To change password click on option '*Change Password'*

4.0 Download Client Software

Please follow all the instructions specified on this web page before starting the use of the Client Software. Click on button *'DOWNLOAD CLIENT SOFTWARE' T*o download the software*.*

5.0   Using Client Software

When you
double click on
onlinefiling.exe
file from the
folder where
you installed
the software
the following
screen is
displayed.
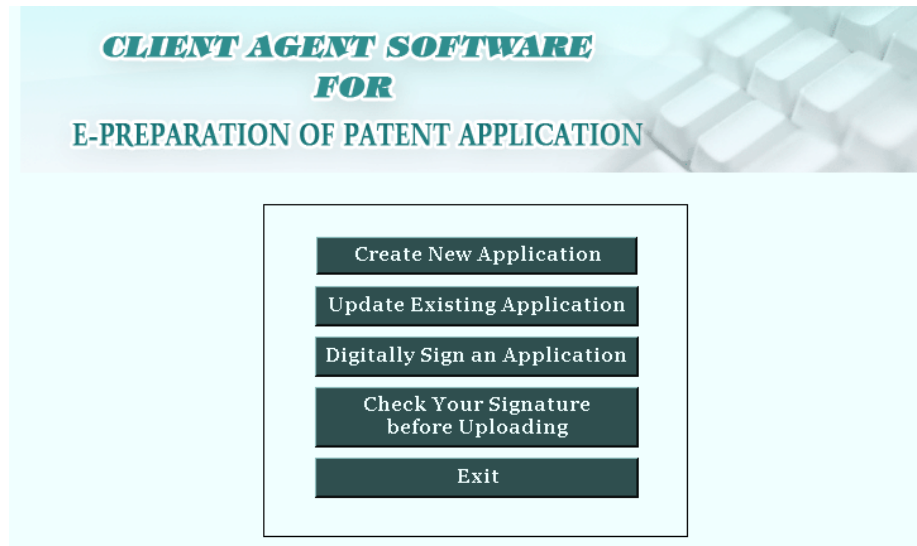
5.1   Create New Application

Click on 1st button *'Create New Application'* to create new application.
& the following screen is displayed.

At the bottom of form there are buttons to attach documents (like
Complete Specification, Drawings, Priority Documents, Translation of

Priority documents, Statement and Undertaking (Form-3), Power of attorney, Declaration of Inventor-ship (Form-5)). To attach a document check the desired checkbox and the **Attach** button will be activated. Click on Attach button to attach a document (.doc, .pdf, .xls etc.). You can use **Preview** button to view the attached document.

After filling the form click on "save" button at top. When you click on the "save" button, the following screen is displayed. Enter the file name (Between 5-10 characters) and click on Save Button.
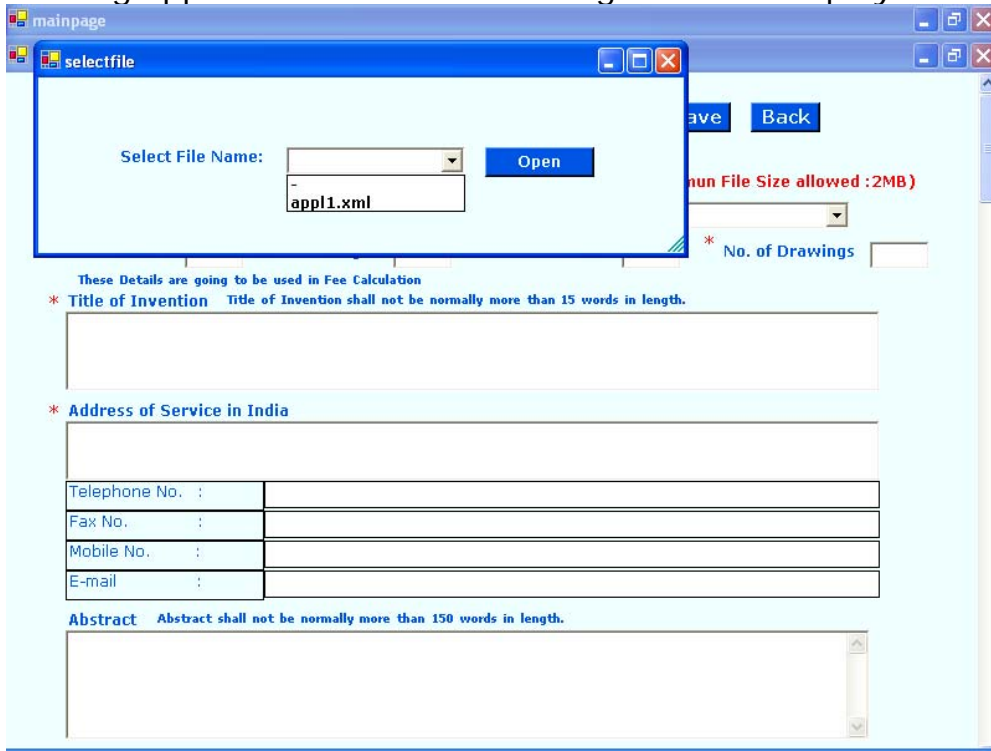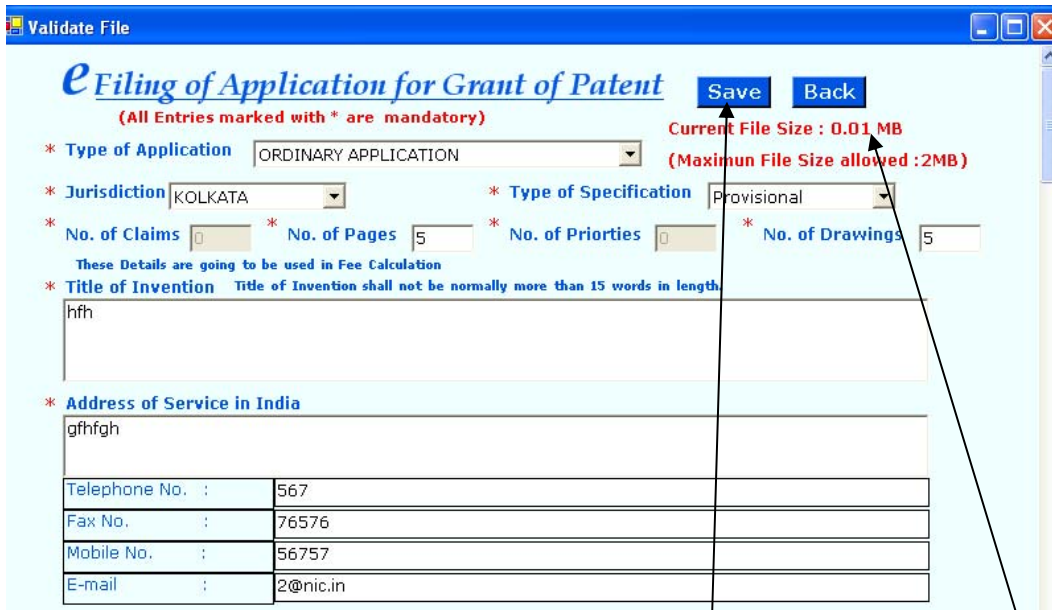
5.2 Update an existing Application

Click on 2nd button '**Update an existing Application'** to update an existing application and the following screen is displayed.

Select the file from the dropdown list and click on **Open** button.

Make the desired changes and click on **Save** button. Monitor the size of your XML file so that it does not exceed the maximum file size allowed.

5.3   Digitally signing an application

Click on 3rd button *'Digitally Sign an Application'* to digitally sign the Application XML File. After clicking the button, the system will ask you to select the Application XML file to be signed. Select the file and click on Open button
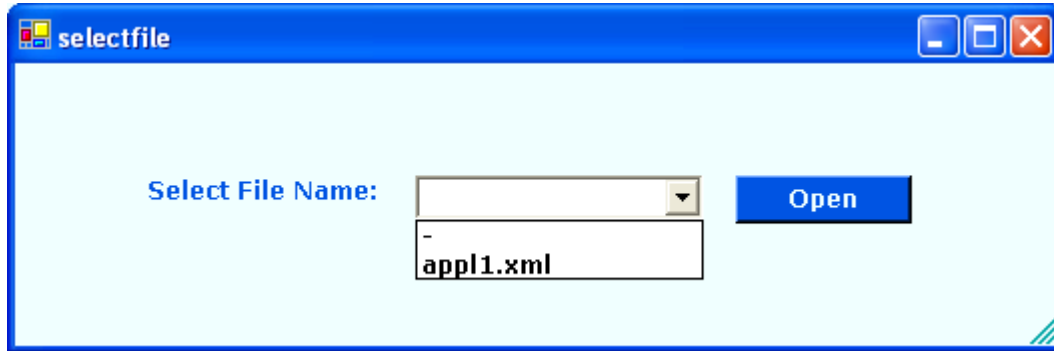
When you click on Open button the following window appears for selecting the Digital Signature. Select the Digital Login and click on OK button.
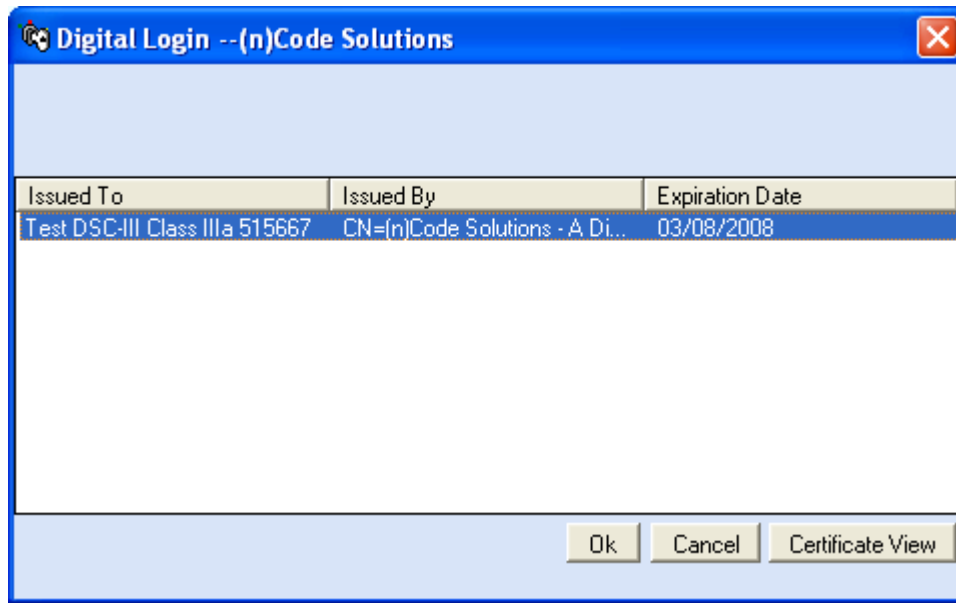
After successful signing you will see the adjacent Message Box. Click on OK Button to go back to main screen. After successful signing the system will automatically create .xml.p7sec file of .xml file.

5.4   Check your Signature before Uploading
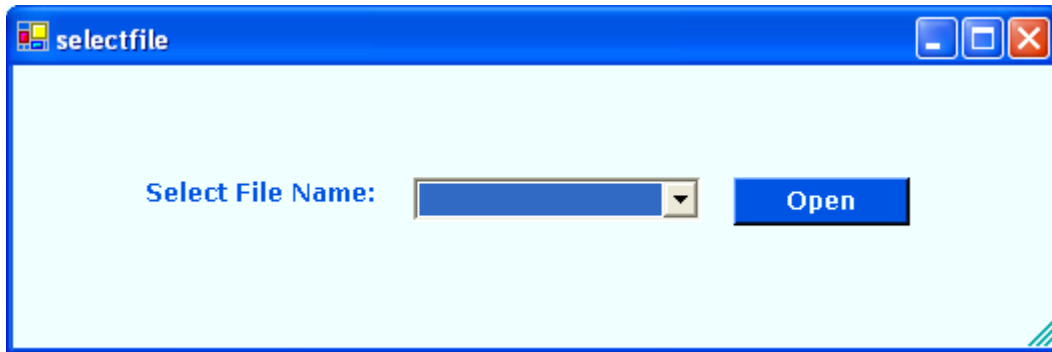
If you want to check your Digital Signature, click on 4th button *'Check your Signature before Uploading'* to verify the signature. Here also same window is displayed.

After clicking the button the system will ask you to select the Application XML file to be verified. Select the file from drop down list and click on Open button. After successful verification for signing, the system gives this Message Box.
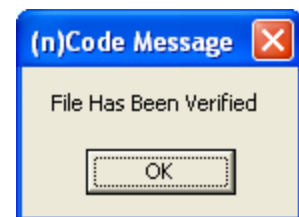
If the file is not verified, the system displays the following Message Box.

6.0   Upload Digitally Signed Patent Application [.xml.p7sec File]

This option is required to upload the digitally signed Application XML file created with the help of client software .

When you click on option **'Upload Digitally Signed Patent Application [.xml.p7sec File]'** the system gives the following window. Click on Browse button to select the file.

When you click on Browse button a pop up window appears on your screen as shown here. Select the file from the folder where you installed the Client Software and click on Open Button.
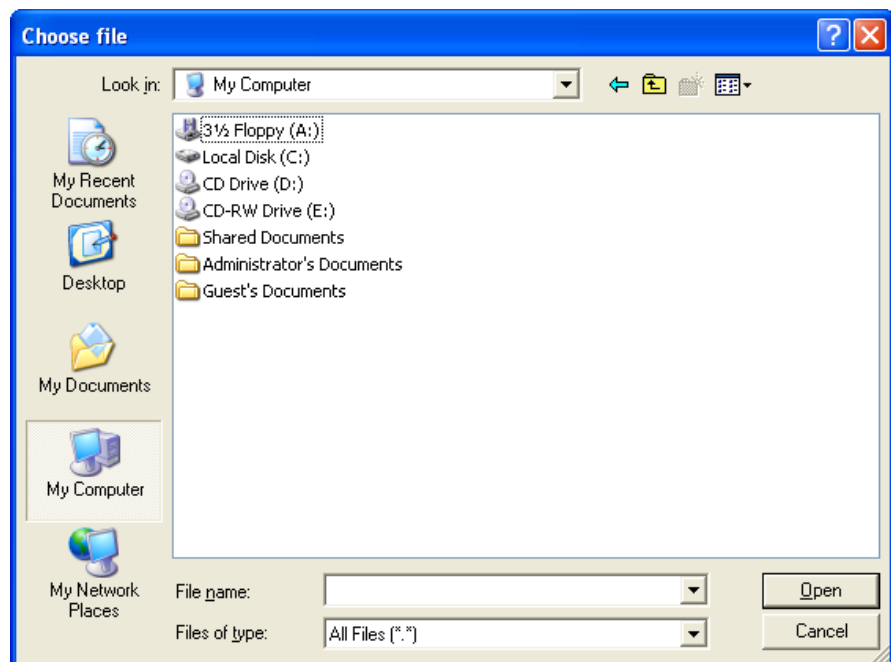
After selecting the file click on **'Upload…'** button to upload your file to Patent Server.

Note : Upload only the .xml.p7sec digitally signed file

After successful uploading the system will give this Message Box.

After successful uploading, the system will generate a temporary Application Number for your electronically filed application as shown below :

Click on **'Go Back to Options button'** to go back to main screen and go for payment gateway using the next option.

7.0   Payment(EFT/CreditCard) Gateway for Fee Transaction

The option "**Payment (EFT/Credit Card) Gateway for Fee Transaction"** is used for the online payment of the patent Application fee.   When you click on this option, the following window is displayed. Select the Jurisdiction, Bank & mode of payment and click on SUBMIT button.

When you click on **SUBMIT** button the list of applications (which are ready for payment) is displayed.

Check the applications for which you want to make the payment and click on '***Proceed...'*** and the following screen is displayed.

Here you will see the list of applications which were selected by you in previous screen and the total amount to be paid by the applicant for all the selected applications. Now click on '***Pay Now'*** button. This will redirect you to Payment Gateway.

8.0   List of Filed Application(s)

This option displays the list of all patent applications that are submitted by the logged in user to the IPO office.

Click on **View** button to see the details of a particular application.
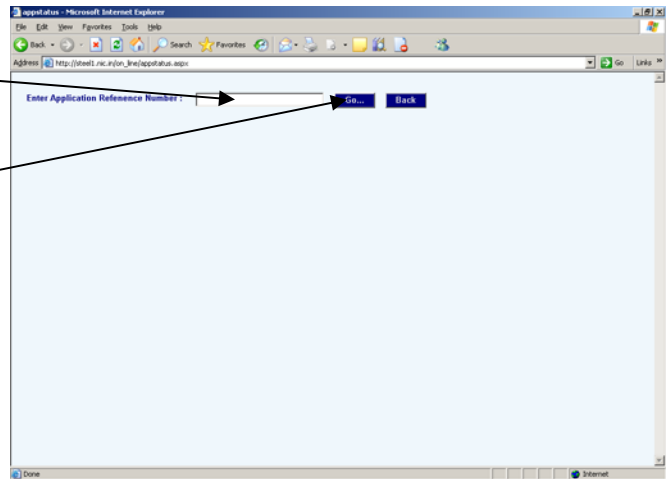
9.0   Know Status of Application(s)

This option is used to check the status of a particular Application Number submitted by a user.

Enter the patent application reference number and click on **GO** button to get the status of the application.

10.   Generate and Print Acknowledgement

This option generates the list of accepted applications

Click on the **Generate** button to generate the Acknowledgement Receipt.
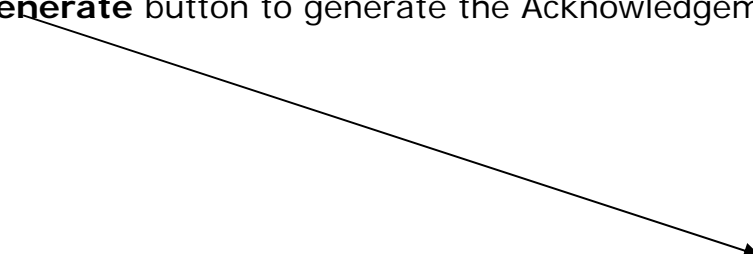
List of Accepted Applications
Click on "Generate" to generate acknowledgement   ▶ Back

Application Ref. No.	Address for Correspondence	Title of Invention	Date of Filing	Status	
Temp/84/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate
Temp/42/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/43/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/44/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/45/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/85/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate
Temp/46/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/47/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/48/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/49/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/50/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/51/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
Temp/91/DEL/2007	df	dsfdf	27/6/2007	ACCEPTED	Generate
TEMP/86/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate
Temp/52/KOL/2007	kl	iklj	27/6/2007	ACCEPTED	Generate
TEMP/87/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate
TEMP/88/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate
Temp/89/MUM/2007	hjghj	hgj	27/6/2007	ACCEPTED	Generate

11.   Change Password

Click on this option to change the current user's password.

It will ask you for the old password and then the new password that you want to change.

12.   Log out

Click on this option to close the application.

Always use this option when you want to close the application.

Do not directly close the window.