

## **INDUSTRIAL DESIGN PROCESS**

### ➤ **Filing**

An Industrial Design application can be filed in a prescribed format accompanied by prescribed fee and 4 copies of the representation of the design (of size 33cm x 25cm with suitable margins). The drawing should clearly depict the features of the design from all the views and it must state the view.

An application for design can be filed at any of the four Patent Offices located in Delhi, Mumbai, Chennai or Kolkata. However, the Designs wing of the Patent office at Kolkata is the head office for handling the design applications and the other three offices also transit such applications to Kolkata for further processing and prosecution.

### ➤ **Examination report**

On receipt of the application in the Patent Office, the Application is numbered, dated and taken up for examination. (Please note that unlike Patents there is no need to file a separate request for examination. Design Applications, once filed are automatically taken up for examination)

### ➤ **Notification of Objection**

If any defects are noticed in the Application, they are communicated to the Applicant or to his Agent. The defects must be corrected within a period of 6 months from the official date of Application.

If the defects are not rectified, as required by the Controller a personal hearing is provided to the applicant. The Controller's decision after the hearing is communicated in writing (stating reasons) to the Applicant or his Agent

➤ **Registration and publication**

An application is accepted when all the shortcomings raised in the Examination Report have been rectified. If accepted, the Patent office issues the registration certificate and thereafter it is duly notified in the Patent Office's Journal.

➤ **Renewal of Industrial Design**

The registration of the Industrial Design remains valid for a period of 10 years from the date of filing that application and can be renewed thereafter for a further period of 5 years at a time