

Student Startup Innovation Policy (SSIP)

Guidelines for IPR Support under SSIP 2.0

- Extended IPR support under SSIP 2.0 is to be provided for the already filed IP Applications which have received approval/support during SSIP 1.0. Further support for stages like Application Filing, Examination, Hearing, or any other office actions of approved IP projects during SSIP 1.0 is to be provided as per provisions given under this guideline.
- All SSIP grantee institute/university has to follow below mentioned guideline for providing IP filing support under SSIP.
- All IP applications filed and prosecuted after launch of SSIP 2.0. by the Government of Gujarat, are to be processed as per this guideline. The institutional-level SSIP Scrutiny Committee will evaluate the IP support applications. Once approvals are obtained from the said committee, the necessary IP support will be provided to the approved applications in accordance with this guideline
- The IPR Cell at the institute/university can avail the services of any Registered Indian Patent Agents for patent and design applications filing and prosecution, and can avail services of any other qualified professionals for trademark, copyright and other IP applications filing and prosecution, who are willing to work as per the provisions mentioned under following guideline.
- The IPR Cell at the institute/university for patent and design applications filing and prosecution can avail the services of any Registered Indian Patent Agents, who are willing to work as per the provisions mentioned under following guideline.
- The IPR Cell at the institute/university for trademark, copyright and other IP applications filing and prosecution can avail services of any other qualified professionals, who are willing to work as per the provisions mentioned under following guideline.
- In case of any queries or objections raised against the application, the IPR cell/centre, in consultation with the innovator/creator/applicant, must facilitate an appropriate response.
- The cost associated with the renewal of a granted IP and its maintenance has to be borne by the beneficiary.
- The IPR cell/centre at the institute can seek assistance from the State-level IP Facilitation Center (IPFC), situated at i-Hub, for the commercialization of protected IPs.
- The IPR cell at the institute/University can reimburse the total amount of IP filing and prosecution process done during period of SSIP 2.0 as per the mentioned charges in this guideline.

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Below is the fund breakup for stage wise work related to various IP Applications Filing and Prosecution under SSIP 2.0

1. Domestic Patent Filing and Prosecution in India:

Particulars	Amount in INR (Inclusive of all taxes)
GOVERNMENT FEES:	
Form 1: Application for Grant of Patent	1600
Form 9: Request for Publication	2500
Form 18: Request for Examination of Application for Patent	4000
PROFESSIONAL CHARGES:	
Patentability & Prior Art Search Report*	7500
Drafting and Filing of Complete Patent Specification	29400
Reporting official action including FER (First Examination Report), Amending specification and/or re-filing in response to FER; AND/OR Reporting official action including SER (Second Examination Report), Amending specification and re-filing in response to SER;	15000
Preparing notice for attending hearing and attending any number of hearing at patent office during prosecution of application per appearance for said case including of said hearing reply submission, till the final disposal of the application as granted/rejected**	15000
Total (INR)	75000

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Note:

* Subject to novelty and patentability idea proposed by applicant to the IPFC screening committee of an institute/university, and for further patent filing process, an approval has to be given by said IPFC screening committee of an institute/university. In case of conclusion as non-patentability of the idea based on reporting relevant prior art documents by the IP professional, the charges mentioned as per above table for Patentability & Prior Art Search Report Preparation shall be paid to concern IP professional, and the said approved application is to be closed by institute/university.

** If any patent applications get granted without any hearing by the patent office, in such cases no payment is to be made for hearing and/or grant of the patent application.

- For patents, the IPR Support is applicable for the complete specification filing along with the request for examination.
- The government fees specified for Form 1 (Application for grant of patent), which amount to INR 1600, will be applicable in the case of an applicant intending to file a provisional patent application. Furthermore, at the time of filing the complete specification, the charges mentioned in the following guidelines will be provided.
- In Case any applicant drafting and filing patent on their own and are not seeking services of any IP Professionals, will be reimbursed for all government fees associated with patent application filing, early publication request and request for examination (normal or expedited) will be reimbursed, from SSIP grant on the approval of university/institutional-level SSIP Scrutiny Committee.

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2. PCT/PCT National Phase/Conventional Patent Application Filing and Prosecution:

Particulars	Amount in INR (Inclusive of all taxes)
Filing PCT International patent application at WIPO, including government and professional charges for filing, searching, examination or other services for said patent application*	150000
Filing PCT National Phase application in ONE of member Country, including government and professional charges for translating, filing, searching, examination or other services for said patent application	150000
Filing Conventional Patent Application in ONE country, including government fees for translating, searching, filing, examination or other services for said patent application	150000

Note:

*The Professional fees for filing PCT International patent application at WIPO would be 35000 INR. Support for Conventional Application/PCT National Phase Patent Application filing includes Government fees of respective country, professional charges of the said country's attorney for various stages of work, and/or professional charges of Indian Attorney. The fees vary from country to country. It is advised to have a list of countries of applicant's interest ready and get proper estimate of fees before proceeding.

- Institute/university committee's pre-approval would be required to avail the benefits of grant under this scheme for filing a PCT/PCT National Phase/Conventional application.
- The benefits for a PCT/PCT National Phase/Conventional application is to be provided by institute/university as per above table, only after the grant of basic Indian patent application.
- If the basic Indian patent application is granted before filling such PCT/PCT National Phase/Conventional application, and in such cases the IP Facilitator would require to submit invoice to respective institute/university, and is to be paid up as per above table.

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- If the basic Indian patent application is prosecuted on normal route and said PCT/PCT National Phase/Conventional application is filled BEFORE basic Indian patent application's grant, and in such cases the applicant would require to submit invoice to respective institute/university, and is to be paid up as per above table AFTER the basic Indian Patent gets Granted.
- Mentioned amount is for one PCT/PCT National Phase/Conventional application, in case of filling into multiple countries, same can be repeated, based on the approval of university/institutional-level SSIP Scrutiny Committee.
- In Case of PCT application filing it is mandatory to select India as international searching authority.
- Amongst all the estimated fees, SSIP shall provide maximum benefit as mentioned in above table. All fees and expenses, in addition to the above mentioned amount is to be borne by the applicant/beneficiary.

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3. Industrial Design Filing and Prosecution in India

Particulars	Amount in INR (Inclusive of all taxes)
GOVERNMENT FEES:	
Form 1: Application for registration of design	1000
PROFESSIONAL CHARGES:	
Design search for proposed product, Drafting and filing of application for registration of design	3500
Reply to any numbers of examination report for said case till disposal of the design application; AND/OR Attending any number of hearing and its reply submission AND/OR till the final disposal of the said application.	4500
Total (INR)	9000

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4. Copyright Filing & Prosecution in India

Particulars	Amount in INR (Inclusive of all taxes)
GOVERNMENT FEES:	
For an application for registration of a copyright in:	
(a) Literary, Dramatic, Musical or Artistic work	500
(b) Provided that in respect of a Literary or Artistic work which is used or is capable of being used in relation to any goods or services (Section 45)	2000
For an application for registration of copyright in a Sound Recording (Section 45)	2000
For an application for registration of Copyright in a Cinematograph Film (Section 45) *	5000
PROFESSIONAL CHARGES:	
Copyright application Drafting and filing of application for registration of Copyright in India	3000
Reply to any numbers of examination report for said case till disposal of the copyright application; AND/OR Attending any number of hearing and its reply submission AND/OR till the final disposal of the said application.	3000

Note

* In case of registration of copyright in a cinematograph film (Section 45), the government fees of 2000 INR will be provided, and an additional 3000 INR has to borne by the applicant/beneficiary.

- A maximum of 8000 INR will be provided for one copyright application filing and prosecution.

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5. Trademark Filing & Prosecution in India

Particulars	Amount in INR (Inclusive of all taxes)
<p>GOVERNMENT FEES:</p> <p>Form TM - A: Application for Trademark Application Filing (Individual / Startup / Small Enterprise as an applicant)</p>	4500
<p>PROFESSIONAL CHARGES:</p> <p>Trademark search for all applicable proposed classes (Providing Opinion on conflicting marks) and Filing Application per class (including of all relevant documents like affidavit and other documents preparation and filing)</p> <p>Replying to any numbers of examination report AND/OR Preparing notice for attending hearing and attending any number of hearing and its reply submission (if required) for said application AND/OR till issuance of Trademark Registration Certificate.</p>	4000
Total (INR)	12500

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6. International Registration of Trademarks filing and prosecution

Particulars	Amount in INR (Inclusive of all taxes)
Filing of international registration of marks via conventional application or Madrid system/route for one country; AND/OR Charges of prosecuting international mark application in one respective country (For one trademark in one class) till issuance of registration/grant certificate, including of all desired actions.	50000

Note:

- For International registration of marks filing fees depends on the numbers of countries chosen by applicant. It is advised to have a list of countries of applicant's interest ready and get proper estimate of fees before proceeding.
- Amongst all the estimated fees, SSIP shall provide maximum benefit as mentioned in above table. All fees, in addition to the mentioned amount shall be borne by the applicant/beneficiary.
- To avail the benefits of international registration of marks through a conventional application or the Madrid system, this is contingent upon the grant status of the basic Indian Trademark application and also requires demonstrating the scope of the business in the countries where protection is sought.
- If the basic Indian trademark application is granted before filling such Madrid application, and in such cases the IP Facilitator would require to submit invoice to respective institute/university, and is to be paid up as per above table.
- If the basic Indian trademark application is not granted, and filled the Madrid application in such cases the applicant would require to submit invoice to respective institute/university, and is to be paid up as per above table AFTER the basic Indian Trademark Grant.
- Mentioned amount is for one trademark application in one class, in case of filling into multiple countries and/or in multiple classes, same can be repeated, based on the approval of university/institutional-level SSIP Scrutiny Committee.

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7. Plant Variety Registration Filing & Prosecution in India

Particulars	Amount in INR (Inclusive of all taxes)
GOVERNMENT FEES (individual person as an applicant):	
Essentially Derived Varieties	7000
Extant variety notified under section 5 of Seeds Act, 1966	2000
New Variety	7000
Extant variety about which there is common knowledge	7000
Farmers' Variety	No Fees
PROFESSIONAL CHARGES:	
Plant Variety for proposed application and, Drafting and filing of application for Plant Variety Registration in India	12000
Reply to any numbers of examination report for said case till disposal of the Plant Variety Registration application; AND/OR Attending any number of hearing and its reply submission AND/OR till the final disposal of the said application.	14000

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8. Semiconductor Integrated Circuits Layout-Design Registry (SICLDR) Filing & Prosecution in India

Particulars	Amount in INR (Inclusive of all taxes)
GOVERNMENT FEES Form LD – 1 : Application for registration of layout – design (LD-1)	5000
PROFESSIONAL CHARGES: Filing Application for registration of layout-design with required actions for the same; AND/OR Reply to any numbers of examination report for said case till disposal of the registration of layout-design; AND/OR Attending any number of hearing and its reply submission AND/OR till the final disposal of the said application.	10000