

特許庁委託事業

2018 年度インド IPG 特許商標ワーキンググループ (報告書)インドの法律事務所の特許明細書作成状況

2019年5月 独立行政法人 日本貿易振興機構 ニューデリー事務所 知的財産権部

はじめに

(1) インド知的財産研究会(インド IPG)

インド知的財産研究会(以下インド IPG)は、インドにおける横断的な日系企業の知財活動を支援する場として 2006 年に設立された。インド IPG は特許商標ワーキンググループ(WG)と模倣品対策ワーキンググループ(WG)という 2 つのグループがあり、特許商標 WG は知的財産全般の問題について研究をしており、模倣品対策 WG は模倣品対策に関わる研究をおこなっている。

これまでインド IPG では以下のテーマに関する研究成果を報告書として発表してきた。

2013 年度 『インドにおける特許の補正に関する調査報告書』

2014 年度 『インドの模倣品海賊版対策に関する Q&A 集』

2014 年度 『インドの特許調査会社の評価』

2016 年度 『インドにおける模倣品等知的財産侵害に対する救済手続き概要 -レイドを中心にした刑事上・民事上の救済手続き概要 - 』

2016 年度 『インドにおける知的財産権 (特許権) の活用方法に関するガイドライン』

2017 年度 『インド商標に関する Q&A 集 -駐在員向けインド商標で気を付けること』

これら研究報告は下記 URL から閲覧することが可能である。

https://www.jetro.go.jp/world/asia/in/ip/ipg.html

(2) 2018 年度のテーマ選定

2018年度のテーマ選定にあたっては多数の候補が検討された。その中で、徐々に現地(インド)で生まれる発明が増えており、現地の特許(法律)事務所へ直接特許出願する需要が高まってきたことから、現地の特許事務所の明細書作成能力を確認することを2018年度のテーマとした。インドの特許出願の取扱い件数が多い有名な事務所は外国(インド以外の国)の特許出願を基礎としたインドへの特許出願(いわゆる外内出願)の処理件数が多い。したがって、取扱い件数と明細書の作成件数が必ずしも一致しないことが多く、単純に取り扱い件数が多い事務所が明細書を作成できるとは限らず、明細書を作成できる特許事務所を探すことが容易ではないとの知財系駐在者から出された意見も踏まえた選定である。

ここで特許に大きく関連する製造業のインドの現状を見てみると、現地への展開は営業・サービス拠点(製品は他国から輸入)、製造拠点、研究開発拠点の順番に推移することが一般的であり、現在、すでに研究開発拠点の設置又は研究開発者の駐在といった段階の日系企業も多くなってきている。また、バンガロール、ハイデラバードに代表されるハイテクベンチャー企業に対して投資又は M&A の実施を検討している企業もある。こうした背景のもと、日系企業(本社又は現地関連企業を含む)に帰属する「発明」がインドで生まれている状況にある。

インドで生まれた発明について他国を第一国として特許出願しようとする場合は外国出願許可 (Foreign Filing License) をインド特許庁から取得しなければならない(インド特許法 39条)。そのためインドの法律事務所(特許事務所)へ外国出願許可の手続きを依頼することになる。現状では

日系企業におけるインドで生まれる発明は基礎的な発明というよりは現地に適合させるために生まれる改良発明であることが多いと言われ、インド国内で特許権を取得できればよい場合は外国出願許可を取得して日本で出願する必要はなく、インドを第一国として特許出願すれば費用的にも抑制できるといえる。また、多くのグローバル企業が続々とR&D拠点をインドに設置する中、今後は日本企業であっても、インドの優秀な人材やエコシステムを背景に、世界に展開するコア技術をインドで研究開発を行っていくことになると見込まれ、現地で生まれたコアとなる発明を、安価なコストと迅速な権利化を目指してインドを第一国として特許出願する機会が増すものと思われる。

以上のように、WG メンバーの意見やインドへの R&D 機能の展開状況、インドの特許法による制限等に鑑みると、インド国内で特許出願明細書を作成する需要が高まっているといえる。そしてインドでは英語が準公用語として広く使用されており、特許出願の言語としてヒンディ語とともに英語が認められていることからも、日系企業にとって同様な需要があると考えられるため、今回「インドの法律事務所の明細書作成状況」を調査することに意義があると考えた。

本研究にあたっては、インド IPG の目的が「知的財産に関する活動を行い、もって日系企業のインドにおける知的財産の保護促進に寄与することを目的とする」(会則 2条)として、WG 活動の成果を可能な範囲で会員全体に共有すること(会則 15条 2項(2))としている一方で、WG メンバーによる個別法律事務所に対する評価(意見)を加えると成果の共有が難しくなることから、出来る限り「生」の情報で共有することとした点についてはご理解頂きたい。

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第1 特許出願の統計データ

まず、具体的な法律事務所の調査に入る前に、各種統計データを確認し、インドの R&D 拠点として の発展の下、真にインドの法律事務所に特許明細書の作成状況(本研究テーマの主題)の確認が 求められているのかを精査する。

1. インドにおける外国人(非居住者)の出願状況

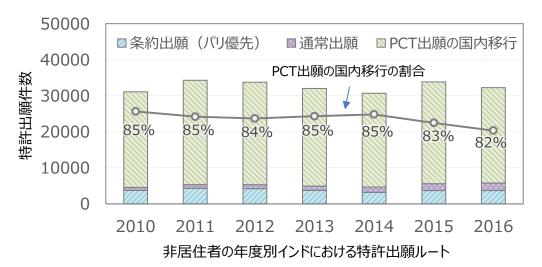
次のグラフはインドにおける年度別の特許出願件数をインド人(居住者)と外国人(非居住者)に分類したグラフである。インドにおける総出願件数は、2010年度は39,400件であったが、少しずつ増加傾向にあり2015年には46,904件、2016年度は横ばいの45,444件である。総出願件数のうち外国人の特許出願の割合は、2010年度は31,088件(総出願に対する割合は79%)であったのに対して、2016年度は32,225件(71%)である。外国人による出願の増加は6年間で4%程度の微増である。一方でインド人による出願は6年間で約60%増加しておりインド国内での特許明細書の作成件数は増加していると考えられる。



年度別インドにおける特許出願件数の推移(居住者-非居住者) 出典: Anual Report 2016-2017 by CGPDTM &GI

2. 外国人による出願のルートの選定状況

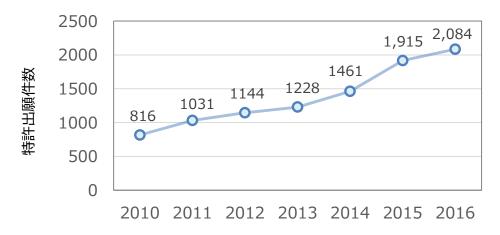
次のグラフは上記外国人(非居住者)による特許出願件数を出願ルート別に分類したグラフである。 外国人による出願のルートは、①通常出願、②パリ条約等の優先権を主張して出願する条約出願、③ PCT 出願の国内移行手続きによる出願の3つのルートに大別される。外国人による出願のうち直近7 年間では82-85%がPCT 出願の国内移行(出願ルート③)によるものであり、多くの外国人は自国のPCT 出願を移行させるルートでインドへ特許出願しているといえる。一方、外国人による通常出願(インド第1国出願)はまだまだ多くない状況といえる。



出典: Anual Report 2016-2017 by CGPDTM &

3. 外国人による通常出願の推移

次のグラフは外国人による通常出願(出願ルート①)の年度別推移を示したグラフである。出願件数は少ないものの、2010年度は816件だったのに対して2016年度は2倍以上の2,084件となっている。これらの出願は優先権を伴わない出願であるため、外国人(法人)がインドの法律事務所へ明細書の作成を依頼している案件と考えられ、その需要は少しずつ高まっていることが分かる。このデータはWG内で議論された日系企業(外国企業)がインド国内で明細書を作成したいという要望とも合致しているといえる。



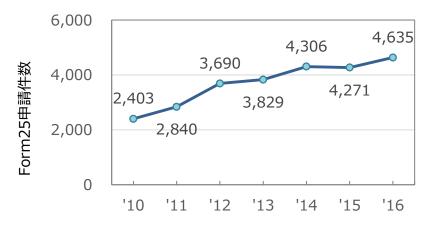
年度別外国人による通常特許出願(第1国インド出願)の件数推移

出典: Anual Report 2016-2017 by CGPDTM &GI

4. 外国出願許可申請(Foreign Filing License)の推移

インドで生まれた発明について他国を第一国として特許出願しようとする場合は外国出願許可 (Form25) をインド特許庁に提出して許可を得る必要がある。次のグラフは Form25 の申請件数の 推移をまとめたものである。年々増加傾向にあり 2016 年度は 4,635 件の申請を受けつけている。この 制度は内外人関係なく利用されうるものである。例えば日系企業(外国企業)が外国出願許可を得

て日本国特許庁(自国特許庁)に第1国出願する場合のほか、インド企業がインドでは認められにくい医薬生物関連発明(用途発明など)について外国で特許権の取得を望む場合(例えば、インドへ出願しても拒絶されるため権利取得が望める国へ直接出願する場合など)に本制度は利用されていると考えられる。そのため単純に外国企業のみが本制度を利用していると考えることはできない。



外国出願許可(Form 25)申請の年度別推移 出典: Anual Report 2010-2017 by CGPDTM &GI

第2 インドの特許出願を基礎出願とした PCT 出願状況

前述のとおり外国出願人の通常出願(第一国インド出願)が増加傾向にあることから、どのような外国出願人(国別データを含む)がインド第一国として特許出願しているのかを確認するため、有料検索システムを用いてデータを収集し、各種マクロ的な視点から分析を行った。当該データを分析することにより各国企業のインドにおける R&D(発明創出)の状況を概観する。

1. 背景

インドの全特許出願を対象とすると、必ずしも明細書の品質が高くない案件も多く分析の対象としてしまう蓋然性が高い。一方で、少なくとも PCT に関連する出願であれば、他国への展開も視野に入れていることから、出願明細書も一定の品質が確保されていると考えられる。そこで、法律事務所が明細書を作成している可能性を検討するために、インドの基礎出願に基づく PCT 出願を分析の対象とした。当該PCT 出願の状況は2.から4.のとおりである。

なお、外国人(非居住者、法人を含む)はインドを第1国として PCT 出願をすることはできない (PCT 規則 19.1)。また日本企業がインドの代理人を用いて国際事務局へ直接出願することはできない。インドの代理人は日本企業が国際事務局へ出願するための代理権を有していないためである。詳細は「PCT出願人の手引 – 国際段階 – 附属書 C Jを参照。

2. 検索条件

A:出願種別 PCT

B:国際出願日 20110101:20171231

C:優先権主張国 IN (インド)

D: A×B×C 12,109 件(解析の対象件数)

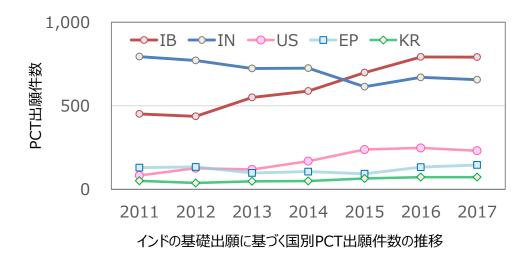
使用検索システム: PatentSQUARE

3. 国別データ

インドへの基礎出願に基づく PCT 出願の受理官庁別データをまとめた表及びグラフを以下に示す。

基本的に出願人が指定できる PCT 出願の受理官庁は自らの国籍に縛られるため、本データにはどの 国籍の出願人が、他国に展開する重要な発明を多くインド第一国出願したのかという傾向が表れると考えられる。

本データはインド人(居住者)の出願も含まれるため必然的にインド及び国際事務局を受理官庁とした出願が増えるが、これらを除けば外国人は、US、EP、KRの順で出願件数が多い。日系企業によるインドへの基礎出願に基づくPCT出願が極端に少ない原因が外国出願許可を取得した上で日本に出願していないのであれば、日系企業による現地 R&D の活用が欧米の企業に比べて大幅に遅れているといえ、もっと積極的に現地での R&D の推進及び知財制度の活用をすべきではないかと思われる。



インドの特許出願を基礎出願とした受理官庁別 PCT 出願件数

受理官庁	2011	2012	2013	2014	2015	2016	2017	総計
IN	794	771	723	725	614	670	656	4,953
IB	451	437	550	588	698	792	791	4,307
US	83	126	119	169	238	248	231	1,214
EP	130	134	98	106	93	133	146	840
KR	51	38	48	50	65	73	73	398
FI	24	45	16	10	8	8	10	121
GB	25	8	15	18	26	18	9	119
CN	0	4	5	15	13	19	16	72
JP	0	0	2	2	7	9	8	28
Other	5	10	7	11	7	11	6	57
Total	1,563	1,573	1,583	1,694	1,769	1,981	1,946	12,109

US 企業はインドの基礎出願に基づく PCT 出願件数を増加させており、インドにおける R&D 活動をいち早く推進しているといえる。

4. 国別データ詳細 (US&EP)

2011-2017年の間でインドへの基礎出願に基づく US を受理官庁として PCT 出願をしている件数を出願人別でまとめた表を以下に示す。電気・通信関連企業及び化学系の出願件数が多いことが分かる。

インドの基礎出願に基づく US を受理官庁とした PCT 出願件数順位

No.	出願人	出願件数
1	HEW LETT-PACKARD DEVELOPM ENT	200
2	GENERAL ELECTRIC COMPANY	85
3	IN TEL CORPORATION	73
4	QUALCOM M INCORPORATED	67
5	DOW GLOBAL TECHNOLOGIES	33
6	DR. REDDY'S LABORATOR E	25
7	M cA fee	20
8	3M INNOVATIVE PROPERTIES COMPANY	20
9	M OTOROLA M OB L ITY	20
10	EM PIRE TECHNOLOGY	18

次に 2011-2017 年の間でインドへの基礎出願に基づく EP を受理官庁として PCT 出願をしている件数を出願人別でまとめた表を以下に示す。電気・通信関連企業及び化学系の出願件数が多いことが分かる。

インドの基礎出願に基づく EP を受理官庁とした PCT 出願件数順位

出願人	出願件数
1 UN LEVER	130
2 SYNGENTA PARTICIPATIONS	65
3 ALCATEL LUCENT	64
4 SIEM ENS AKTIENGESELLSCHAFT	45
5 ROBERT BOSCH	43
6 SHELL INTERNATIONALE	43
7 GE HEALTHCARE	36
8 ER ICSSON	27
9 KONINKLIJKE PHILIPS	23
10 EATON INDUSTRIES	20

なお、KR(韓国)及び FI(フィンランド)の件数も多いが、それぞれ Samsung(393 件)と NOKIA(112 件)によるものである。

第3 法律事務所の分析

1. インドにおける知財関連法律事務所

インドの法律事務所の出願処理件数をランキングにしたデータを探すことはできなかった。一方で、インドにおいて法律事務所の明細書作成状況を確認する上で参考になる情報として、JETRO ニューデリー事務所の知的財産部がまとめた「知財関連法律事務所一覧(第5版)」がある。

https://www.jetro.go.jp/ext_images/world/asia/in/ip/pdf/ip_office_list_201903.pdf

2. 出願書類(明細書)作成実績のある法律事務所の統計データ

前述のとおり、インドの全出願を対象とすると明細書の品質が高くないものも分析の対象としてしまうおそれがあるため、PCT 出願を基に分析を行った。

ただし、通常のインド出願については代理人情報がデータとして収録されておらず、インドの出願を優先権主張の基礎とした PCT 出願とリンクさせることが難しいため、インドの代理人情報が収録された、インドを優先権主張の基礎として IN(インド)及び IB(国際事務局)を受理官庁とした PCT 出願のみを分析対象とした。

表 インドの特許出願を基礎として IN 又は IB を受理官庁とした PCT 出願件数(事務所別)

	法律事務所	2011	2012	2013	2014	2015	2016	2017	総計
1	K&S Partners	109	95	86	92	66	54	69	571
2	R.K DEWAN	63	49	61	69	97	65	60	464
3	Lakshmikumaran & Sridharan	37	80	57	64	64	61	42	405
4	Lex Orbis	38	40	60	62	61	60	45	366
5	S.MAJUMDAR & CO	79	50	42	28	36	50	52	337
6	RAHUL CHAUDHRY & PARTNERS	30	42	26	40	19	25	34	216
7	KHURANA & KHURANA	8	8	7	16	38	63	66	206
8	Krishna & Saurastri Associates	37	16	21	21	38	31	40	204
9	Gopakumar Nair Associates	34	32	17	18	30	33	28	192
10	SUBRAMANIAM & ASSOCIATES	42	38	24	30	16	25	13	188
11	Remfry & Sagar	3	8	22	25	37	29	14	138
12	Legasis Partners	14	28	23	14	1	9	18	107
13	Anand and Anand	21	17	22	8	9	11	12	100
14	Hasan and Singh Advocates	6	9	14	12	10	29	18	98
15	L.S. DAVAR & CO.	18	13	10	20	12	6	6	85
16	ALMT Legal Partners	10	10	5	8	6	23	22	84

参考として、上記出願の Family としての US への移行が行われた件数及びそのステータスを確認した結果を以下の表に示す。このデータは、US で登録まで導ける出願明細書を作成しているかどうかは、明細書の作成状況を把握する上で一つの判断材料となりうる。

表 上記表の PCT 出願の内で US への移行した件数 (事務所別)

法律事務所	出願件数	係属中	結審数	登録	登録率
1 K&S Partners	158	20	138	121	88%
2 Lakshmikumaran & Sridharan	80	22	58	54	93%
3 RAHUL CHAUDHRY & PARTNERS	66	4	62	57	92%
4 S.MAJUMDAR & CO	65	11	54	35	65%
5 Lex Orbis	62	5	57	56	98%
6 Legasis Partners	51	8	43	40	93%
7 R.K DEWAN	49	6	43	37	86%
8 SUBRAMANIAM & ASSOCIATES	48	6	42	27	64%
9 Krishna & Saurastri Associates	30	6	24	19	79%
10 Gopakumar Nair Associates	21	5	16	13	81%
11 ALMT Legal Partners	17	7	10	6	60%
12 Anand and Anand	17	3	14	7	50%
13 Remfry & Sagar	14	2	12	12	100%
14 L.S. DAVAR & CO.	13	5	8	6	75%
15 Hasan and Singh Advocates	12	2	10	8	80%
16 KHURANA & KHURANA	6	1	5	3	60%

第4 各法律事務所の明細書作成の実体

「第3 法律事務所の分析」において、明細書を作成している可能性が高い事務所が複数存在することが分かったため、これらの事務所へ質問状を送り、その明細書の作成状況を確認することとした。個別に明細書の内容を検証することが明細書作成状況を確認する上で重要なことは言うまでもないが、明細書そのものの評価は事務所へ渡された図面の質やデータ、企業の要求するレベルによってさまざまであり一様に評価することは難しい。また、明細書そのものはトライアルのときに自社で評価するとの意見がWG内で出されたこともあり、本質問では、事務所の規模や明細書の作成経験、育成システムなどを確認することとした。

0. 質問事項とその意図

	質問事項	質問の意図(目的)
1	各拠点の現在の所員数は何人か	地方の開発拠点における F2F の発明者ヒアリ
		ングがどの程度容易なのか、困難なのかを把握
		したい
2	各拠点の現在の明細書作成者(弁護士、弁	地方の開発拠点における F2F の発明者ヒアリ
	理士、非弁護士・弁理士を含む。以下同じ)は	ングがどの程度容易なのか、困難なのかを把握
	何人か	したい
3	明細書作成者については最も得意とする専門	事務所の得意技術分野を人的リソース面から
	分野(電気・機械・バイオ医薬・化学)ごとに重	把握したい
	複カウントすることなく、分けた人数を教えてほし	
	U	
4	各分野における弁護士、弁理士、非弁護士・	法律面でのバックボーンがどれだけしっかりしてい
	弁理士の内訳は何人か	るかを把握したい
		四子 /L - A / V - L - L - M - L - L - L - L - L - L - L
5	各拠点の現在の図面担当者は何人か	図面作成能力を把握したい
6	新規採用した、明細書作成者の教育はどのよう	明細書作成者の質をどうやって担保しているか
	にやっているか	を把握したい
7	現在の明細書作成者の平均勤続年数は何年	明細書作成者の入れ代わりの頻度を把握した
	か	()
8	勤続年数ごとの人数分布を教えてほしい	ベテラン明細書作成者の人数を把握したい
9	現在の明細書作成者の年間平均明細書作成	明細書作成者の明細書作成処理能力を把
	件数は何件か	握したい
10	年間明細書作成件数ごとの人数分布を教えて	件数をこなしている明細書作成者の人数を把
	ほしい	握したい
11	直近三年で何人の明細書作成者を新たに採	明細書作成者の入れ代わりの頻度を把握した
	用し、何人の明細書作成者が退職したか	U

12	直近三年での貴所の完全明細書による出願	事務所の得意技術分野を実績面から把握し
	件数を技術分野ごとに教えてほしい	たい
13	直近三年での貴所のインド出願 OA 応答件数	OA 対応経験の豊富さを把握したい
	を教えてほしい	
14	直近三年での貴所の Hearing 件数(インド出	Hearing 経験の豊富さを把握したい
	願 OA 応答後の Hearing)を教えてほしい	
15	直近三年での貴所の Hearing 実施案件の特	Hearing 対応能力を把握したい
	許付与率を教えてほしい	
16	直近三年に貴所が行った付与前異議と付与後	攻撃側としての異議無効対応能力を把握した
	異議と無効審判、それぞれの件数とその勝率を	()
	教えてほしい	
17	直近三年で貴所のクライアントが受領した付与	防御側としての異議無効対応能力を把握した
	前異議と付与後異議と無効審判、それぞれの	()
	件数とその勝率を教えてほしい	
18	直近三年に貴所が担当した本出願案件の中	外内案件ではないインド生まれの発明の出願
	で、第一国出願がインドの特許出願の件数とそ	をどれだけ処理したかを把握したい
	の全体に占める割合はどの程度か	
19	直近三年に貴所が担当した本出願案件の中	外内案件をどれだけ処理したかを把握したい
	で、PCT 経由のインド特許出願の件数とその全	
20	体に占める割合はどの程度か 直近三年に貴所が担当した本出願案件の中	□−カル企業(≒クオリティがそれほど高くない発
20	で、出願人名義がインド国内出願人の特許出	明)とどれだけ向き合ってきたかを把握したい
	願の件数とその全体に占める割合はどの程度か	
21	直近三年に貴所が担当した本出願案件の中	
	で、出願人名義がインド国外出願人の特許出	いるか把握したい
	願の件数とその全体に占める割合はどの程度か	
22	直近三年に貴所が担当したインド第一国出願	インド生まれの発明から外国出願に耐えうる
	の案件の中で、他国出願(IP5のいずれか)の	(≒一定程度のクオリティ)出願をどれだけ行っ
	優先権主張出願基礎とした案件の件数を教え	てきたかを把握したい
	てほしい	
22	古近二年に豊武が行った ハド時計 山岡 へんの	り 国の家本は田を鈴子にできない中で <i>同性の</i>
23	直近三年に貴所が行ったインド特許出願 OA のうち外国ファミリーがない案件の件数を教えてほし	外国の審査結果を参考にできない中で何件の
	つらか国ノバミリーがない条件の什致を教えてはし	OA で1J フにがで1GI注Uにい
24	<u>い</u> 外国企業との付き合いは現在何社あるか(公	 外国企業の仕事の進め方をどれだけ理解して
∠ T	開情報ベースの企業名も含む)	いるか把握したい
	同日世、 ハツ上木口 0口 0/	∨・◎Ⅵ J□N∓○/C▽・

25	直近三年で特許出願の依頼を受けた顧客の	外国企業とどれだけ安定的な関係を築けてい
	中でもっとも古い外国企業は何年前から付き合	るか把握したい
	いがあるか(その企業名も含む)	
26	明細書作成者が作成した明細書品質チェック	明細書の質の担保をどのように行っているかを
	をどのようにしているか	把握したい

1. K&S Partners

	R&S Partners
No	回答
1	Gurgaon - 101
	Bangalore - 28
	Hyderabad - 5
	Mumbai - 4
	Chennai - 2
2	Gurgaon - 19
	Bangalore - 16
	Hyderabad - 4
	Chennai - 1
3	All the patent engineers are well experienced and trained. They also go
	through periodic trainings with experts from US and Europe in draftings.
	We have specialized professionals with advanced degrees in technology. A
	large majority of our engineers also have a law degree.
4	Computer and Electronics -
	Patent Attorneys - 22
	Non-Attorneys (Technical Specialists) - 2
	Mechanical -
	Patent Attorneys - 13
	Non-Attorneys (Technical Specialists) - 2
	Biotechnology & Bioscience -
	Patent Attorneys - 18
	Non-Attorneys (Technical Specialists) - 2
	Pharma & Chemistry-
	Patent Attorneys - 14
5	Gurgaon - 3; Bangalore - 2, Chennai - 1, Hyderabad - 1
6	Depending upon the technology area, we position a patent engineer in the
	specific team led by practice leads and partners. We have elaborate and
	systematic induction plan to train new joinees which includes a "buddy
	programme". A buddy is senior engineer in the same team who hand holds
	the new joinee and help him/ her to work on various kinds of assignments
	including draftings. Every joinee is supervised and trained by a team of
	mentors led by partners who review his/her progress on a periodic basis.
	We have standardized study material for the new joinees to educate them
	The have standardized study indicatal for the new joinees to educate them

			v, different kinds of drafting exercises, searching			
	assignments, FTOs etc. We also provide in-house as well as external trainings to our engineers to improve their skills.					
7	6 years	our engil	leers to improve their skills.			
8	U years		-			
0	No. of years	No.of Engineers				
	Less than 1					
	years	8				
	1-2 years	2	-			
	2-3 years	1				
	3-4 years	6	-			
	4-5 years	3	-			
	5-6 years 6-7 years	5 1	-			
	7-8 years	1	-			
	8-9 years	2	-			
	9-10 years	0				
	10-11 years	4				
	11-12 years	0				
	12-13 years	1				
	13-14 years	4	-			
	14-15 years	0				
	15-16 years	1	-			
9	480					
10	12-15 per p	erson per	year			
11	Hired - 17;	Retired -	12			
12	1727					
13	6068					
14	2576					
15	3041					
16	Pre-grant O	pposition	s filed against others on behalf of client: 5			
17	Pre-grant O	pposition	s defended for client: 61; Post-grant Opposition			
	defended fo	or client: 6	5; Revocation defended for client: 1			
18	3417/ 1163	5				
19	6809 (NP F	Filed)				
20	1053 (IP)	+ 688 (F	P) = 1741			
21	8091					
22	816					
23	Number of o	cases with	no foreign family would be less than 10% of tota			
	cases.					
24						

- Qualcomm (14 years) , IBM (12 years) , Cisco (9 years) , Hitachi (13 years) , Suzuki (9 years) , Daiichi Sankyo (8 years+), SONY (7+), Asahi Kasei (8+), Mitsubishi Chemicals (6+), Unicharm (5+) Eli Lilly (19 years) , Astrazeneca (17 years) ,
- •A two-step review is carried out by Team lead and Partner before sharing with client;
 - •Guidelines issued from the Clients are considered while drafting the patent specification;
 - •Tools like 'Patent Optimizer' and 'Claim Master' etc are used for quality check as well.
- Invention Disclosure Form (IDF) is reviewed, and a meeting/call/VC is set up with the inventor(s) to thoroughly understand the invention. If information is insufficient, we may ask for additional write-up from inventors. A number of back and forth discussions may be done to finally crystallize the specification and claims

2. R.K DEWAN

	回答						
No							
1	Pune – 70, Mumbai – 50, New Delhi – 12						
	Chennai and Bangalore – 12, Kolkata, Indore and China - 4						
2	Pune – 29, Mumbai – 9, New Delhi – 5, Chennai and Bangalore - 5						
3	Electrical & electronics -8						
	Mechanical -7						
	Biotech - 4, pharmacy - 3 and Chemistry (including polymers) - 15						
	Chemical engineering - 5						
	Computer Science and Information Technology - 6						
4	Number of Attorneys: 25						
	Number of Patent Attorneys: 48						
	Number of Non Attorneys : 50						
	Number of Non Patent Attorneys - 15						
5	1 each except in Chennai						
6	After joining, below training sessions will be conducted						
	1. Induction training						
	2. Training on Basic patents						
	3. Training on conducting patent searches (once in a month)						
	4. Training on drafting provisional and complete specifications (once in a						
	month) . Following this there are training programs and new case law						
	discussions every fortnight.						
7	3 - 8; some senior attorneys 20-48						
8	8 > 20 years , 20 around 8 years ; rest around 3-5 years						
9	Approximately 800 specifications (Provisional and Complete)						
10	Each person - Approximately 20 specifications (Provisional and Complete)						
11	Recruited : Approximately 25						
	Resigned : Approximately 10						
12	Engineering , Electronics, Computer Science, Mechanical and Information						
	Technology, Ai & machine learning, block chain, nanotechnology						
	Pharmaceuticals, Chemistry, Chemicalengineering and Biotechnology						
13	Approximately 600 Office action responses per year						
14	Approximately 300 hearings per year						
15	2016 - 80%						
	2017 - 85%						
	2018 - 90%						
16	pre grant filed and attended hearing 18; post grant - filed and attended						
	1 5 2 2 2 2 2 2 2 2 2 2 2 2 3 2 2 3 2 2 3 2						

	hearing - 11, revocation filed -3 cases . No hearings for revocation held in
	last 3 years. Success rate - 100 %
17	pre grant -3; post grant 1; invalidation - nil; Decisions not received yet
18	75% applications have India as priority country for our firm.
19	25%
20	Approximately 800 patent applications per year
21	Approximately 260 patent applications per year
22	Approximately 300 foreign applications filed every year through PCT or
	Paris convention route
23	For all our domestic clients , we prepare the detailed OA response. In fact
	for the applicationsfiled in foreign countries for Indian origin cases, we
	prepare the draft response example for US, EP CN and JP cases and send to
	attorney who have to only do a quick review and file the response. Many
	of our foreign clients, particularly direct client, also rely upon us to prepare
	a detailed response as per Indian requirements , knowing our capabilities.
24	CONFIDENTIAL AT THIS STAGE
25	EMERSON GROUP having 38 subsidiaries for last 20 years, Outotech OYJ
	finland - 25 years
26	there is a 3 tier review system- peer review, team leader review , senior
	attorney review(of at least the claims); we also use patent tools such as
	GINGER, , patent optimiser
27	Through personal meeting, conference call or video conferencing

3. Lakshmikumaran & Sridharan

No	回答
1	Ahmedabad: 12, Allahabad: 4, Bangalore: 50, Chandigarh: 11
	Chennai: 40, Delhi: 351, Gurgaon: 34, Hyderabad: 19
	Kolkata: 14, London: 1, Mumbai: 84, Pune: 15
2	Delhi: 134, Bangalore: 9, Chennai: 7
3	Electrical, Electronics & Communication: 29
	Mechanical: 16
	Biopharmaceutical: 8
	Chemical: 15
4	Our patent professionals handle various cases related to interdisciplinary
	domains and therefore categorization of attorneys, patent attorneys, non
	attorneys and non patent attorneys for each field is quite difficult.
5	Delhi: 25, Bangalore: 5, Chennai: 2
6	We have specific training modules specially carved out for training attorneys,
	patent attorneys, non attorneys and non patent attorneys. More detailed
	information in this regard can be shared during client engagement and
	meetings.
7	5
8	1 to 5 Years: 110
	5 to 10 Years: 17
	10 to 15 Years: 15
	15 to 20 Years: 3
	20+ Years: 5
9	450
10	We ensure that at least a team of two people work on a specification, and
	therefore, it is quite difficult to identify the allocation of the number of
	persons categorized by number of specifications created annually.
11	48; 12
12	Electrical, Electronics & Communication:: 714
	Mechanical: 135
	Biopharmaceutical: 192
	Chemical: 309
13	3463
14	1440
15	91.2%
16	Confidential business information. Specific information in this regard can be
	shared during client engagement and meetings.

17 Confidential business information. Specific information in this regard can be shared during client engagement and meetings. Confidential business information. Specific information in this regard can be 18 shared during client engagement and meetings. Confidential business information. Specific information in this regard can be shared during client engagement and meetings. Confidential business information. Specific information in this regard can be 20 shared during client engagement and meetings. 21 Confidential business information. Specific information in this regard can be shared during client engagement and meetings. Confidential business information. Specific information in this regard can be 22 shared during client engagement and meetings. 23 It would be difficult to provide this information as we do not track such information in our IP management system. Confidential business information. Specific information in this regard can be 24 shared during client engagement and meetings. Confidential business information. Specific information in this regard can be 25 shared during client engagement and meetings. We perform a three-level quality check for each of our specification. A 26 specification is worked up by at least two technical members and is reviewed by at least one senior attorney. Thereafter, we subject each specification to an AI based IP tool to ensure strict quality output. Further, we have a strict quality guideline in place against which the specifications are rated and scored. All specifications with an average score of less than 90% are re-reviewed and revised. The specification is shared with the client for their comments and feedback. More detailed information in this regard can be shared during client engagement and meetings. Inventor hearings is performed based on client's preferences. The most 27 common modes of conducting inventor hearing include Skype discussions, telephonic discussions and on-site visits, depending upon geographical

limitations and feasibility. More detailed information in this regard can be

shared during client engagement and meetings.

4. Lex Orbis

No	回答
1	175 Total Staff (136 Delhi , 21 Bengaluru, 17 in Mumbai, 1 in New York)
2	TOTAL 61 Patent Professionals (35 Patent Engineers, 26 Patent Scientists)
	Delhi: 40 Patent Professionals (26 Patent Engineers, 14 Patent Scientists)
	Bengaluru: 12 Patent Professionals (8 Patent Engineers, 4 Patent
	Scientists)
	Mumbai: 9 Patent Professionals (2 Patent Engineers, 7 Patent Scientists)
3	Biotech 10, Chemistry 6, Electrical 3, Electronics 14, Energy 5,
	Mechanical 9, Pharmacy 7, Semiconductors 2, Software 5
4	24 Attorneys at law
	+
	61 patent professionals with Technical background:-
	Biotech 10 (1 Attorney at law, 5 patent attorney, 4
	non-attorney/non-patent attorney)
	Chemistry 6 (1 Attorney at law, 3 patent attorney, 2
	non-attorney/non-patent attorney)
	Electrical 3 (3 patent attorney)
	Electronics 14 (2 Attorney at law, 9 patent attorney, 5
	non-attorney/non-patent attorney)
	Energy 5 (2 Attorney at law)
	Mechanical 9 (4 patent attorney, 3 non-attorney/non-patent attorney)
	Pharmacy 7 (3 Attorney at law, 4 patent attorney)
	Semiconductors 2 (2 patent attorney)
	Software 5 (2 Attorney at law, 2 patent attorney, 1
	non-attorney/non-patent attorney)
5	Delhi 10, Bengaluru 4, Mumbai 2
6	Orientations, Webniars, Patent Act training programmes, Case laws
	discussion, Brainstorming interaction sessions over recent developments,
	Overseas and Domestic Visits (conferences, patent-offices, seminars)
7	Average number of years of experience of patent attorneys is 8.2 years
8	10 people above 20 years of experience, 10 people between 15-20 years
	of experience, 30 people between 10-15 years of experience, 46 people
	between 5-10 years of experience, 66 people between 0-5 years of
	experience
9	723 new applications last year for engineering and 556 new applications for
	science/chemistry/biotechnology
10	25 professionals

11	Approximately 50 patent engineers and attorneys joined our firm in the last
	3 years and about 10 patent engineers/scientists have retired or quit.
12	Biotech 269
	Chemistry 359
	Electrical 89
	Electronics 353
	Energy 158
	Mechanical 492
	Pharmacy 256
	Semiconductors 69
	Software 543
13	6586
14	945
15	98%
16	17 pre-grant oppositions: 4 decided in our favor and remaining pending/9
	post-grant oppositions: all pending/9 revocation actions before IPAB: all
	pending
17	17 pre-grant oppositions: 4 decided in our favor and remaining pending/9
	post-grant oppositions: all pending/9 revocation actions before IPAB: all
	pending
18	4133, 40%
19	251
20	1485 application of Indian Applicant, 15%
21	6199, 60%
22	751
23	2648
24	1500+
25	Ericsson, 17 years
26	1st Level: Claim review by Attorney
	2nd level: Proof Read by peer, Grammar check software, Patent Drafting
	Assistant tool
	3rd level: Detailed Review of full specification by Supervisor and Clients
27	Video/Tele Conference: 70%
	Visit by our attorneys at client premises: 20%
	Visit by Inventors at our office: 10%

5. S.MAJUMDAR & CO

No	回答
1	Kolkata -90, Mumbai - 8, Delhi - 12, Bangalore -3; Hyderabad - 2
2	Kolkata - 22 Mumbai - 7 Delhi-10 Bangalore - 2 Hyderabad - 1
3	Electrical - 6, Mechanical - 1, Biopharmaceutical - 10, Chemical - 6
4	Electrical [Patent attorney - 6, Non patent Attorney - 1 (Patent Engg.)]
	Mechanical [Patent attorney -1]
	Biopharmaceutical [Patent attorney -9 Non Patent Attorney - 2 (Patent
	Engg)] Chamical (Patent Attorney El
5	Chemical (Patent Attorney - 5] 0
6	Newly employed engineers are usually delegated under a mid-to senior
	level attorney depending on the newly appointed engineers' experience in
	the field of Patents. The teams have team leads who have over 15 years of
	experience as Patent Attorneys. The Senior Attorneys have about 10 years of experience and the Mid level Attorneys would have about 5 years of
	experience. In the initial months, the newly employed engineers assist the
	Attorneys in preparation of response or prior art searches and have regular
	meetings with the reporting Attorney and with the team head once in a
	while. Depending upon the performance, they are given independent
	assignments which are ofcourse supervised by Attorneys before
	finalization.
7	8-10 years
8	over 10 years - 12; between 5-10 years
9	350
10	Electrical & Electronics/ Computer Sc - 6 Patent attorneys; Mechanical -
	1; Biotech - 4 Attorneys; Chemical sciences - 3 Attorneys
11	Recruited - 8, Employee Left - 3
12	Electrical & Electronics/ Computer Sc - about 40%; Biopharmaceutical &
	agrochemicals - 35%; mechanical & misc - 25% [very rough estimate]
13	2195
14	533
15	792
16	125 (none of these matters have been decided)
17	16 (none of these matters have been decided)
18	962
19	3281
20	1125

21	3657
22	859
23	425
24	
25	ERICSSON, SANDVIK, SANDOZ, HUAWEI TECHNOLOGIES CO., LTD.,
	SYSMEX CORPORATION
26	After the first draft has been prepared by a Junior Attorney, the Senior
	Attorney reviews the draft and it is then shared with client. If further
	modifications are required, the Junior Attorney would consult the Senior
	Attorney to finalize the draft. Upon client's requests the team leads are also
	involved. In a mutidisciplinary matter, the teams work in conjunction.
27	You may be aware that hearings are now conducted over video
	conferencing. Upon receiving the hearing notice, we intimate the client on
	the same day. If the Client instructs us to analyse the case, we do so and
	make submissions accordingly on the day of the hearing. Case laws are also
	relied upon to support our contentions, if necessary. If the notice contains
	only formal objections which can be corrected by filing submissions, we
	suggest discussing the matter with the Controller over the phone, and only
	in the event he requires us to attend, we attend the hearing, else we make
	submissions, which in turn avoids the costs involved in attending hearings.

6. RAHUL CHAUDHRY & PARTNERS

	RAHUL CHAUDHRY & PARTNERS
No	回答
1	Gurgaon Office - 105 ; Delhi Office -60
2	Gurgaon Office - Total No. of Patent Engineers -22 ; Delhi Office - Total
	No. of Patent Engineer - 1
3	Electronics - 6, Mechanical -4 , Chemical - 9 , Biotech- 4
4	Total Attorney- 58; Patent Attorneys - 19; Non-Attorneys - 4; Non-Patent
	Attorneys -39
5	Gurgaon Office -2
6	We conduct routine orientation training program for newly employed
	engineers. Further, they are trained on the job under close supervision of
	Senior Associates and Partners.
7	6.73 years
8	Experience more than 10 years = 5; 5-10 years = 4, less than 5 years =
	12
9	110 specifications per year
10	Drafting Team consist of 8 persons and each person is alloted with 10-15
	specification for drafting per year.
11	Recruited -12; Relinquished - 5
12	Electronics - 98, Mechanical -105 , Chemical - 85 , Biotech- 41
13	Total = 1412
14	Total = 240
15	Patent grant rate after hearing is 98.5%.
16	Total case = 5; Winning Rate is 100% (In 3 cases, final decision is in favor
4 -	of our client)
17	Total case = 5; Pre-Grant Opposition = 5; Post- Grant Opposition = Nil;
	Revocation = Nil , Winning Rate is 100% (In 3 cases , final decision is in
10	favor of our client)
18	Total Number of application = 350 and its proportion as whole is 17%
19	Total Number of application = 1710 and its proportion as whole is 83%
20	Total Number of application = 329 and its proportion as whole is 16%
21	Total Number of application =1731 and its proportion as whole is 84%.
22	121 PCT applications filed; 325 PCT National phase applications +
2.0	Conventional applications
23	197
24	Total = 4; We cannot disclose further details as it is confidential in nature.
25	Many of our Clients are associted with us for more than 20 years and the
	details of the same could not be shared as it is confidential in nature.

26	The quality of Specification is assured by two level check. The First level
	check is done by Senior Associate and second level check is done by
	Partner- in charge of matter.
27	We interact with Inventors through telecon, video conferencing and
	personal meetings either by visiting their offices or in our offices.

7. KHURANA & KHURANA

	KHURANA & KHURANA
No	回答
1	140
2	Total 75, of which 40 in Gr. Noida, and remaining across Delhi, Bangalore,
	Mumbai, Pune,and Hyderaabd
3	10 in Computer Science, 15 in Electronics/Electrical, 10 in Mechanical, and
	20 in Life Sciences
4	50 Attorneys, 40 Patent Attorneys, 30 Patent Agents, and Remaining
	Engineers
5	3 People for preparing illustrations
6	Associating with Sr. Associating, Giving Sample patent drafts, Reviewing
	and giving continuous feedback
7	Average of 7 years
8	>50% having over 7 years of experience, >25% having over 3 years of
	experience, and remaining having less than 25%
9	100
10	Over 80% of the people prepare over 100 applications, and remaining
	around 70-100
11	30 recruited and 10 retired
12	Over 1200 filed annually, of which 600 are life sciences, 300 are computer
	science/electrical, and 300 are mechanical
13	Over 1500
14	Over 400
15	Over 90%
16	All applications that were rejected were done during patent prosecution
17	All applications that were rejected were done during patent prosecution
18	Around 500 per year, i.e. over 40%
19	Around 500 domestic applications filed and around 150 PCT applications
	filed i.e. around 25% going into PCT
20	Around 40%
21	Around 60%
22	Almost none. Around 10 cases
23	Around 150
24	Avery Dennison, Daimler, Kyoraku, Line Corporation, Huawei, Xiaomi, L&T,
	Furuno Electric, Panasonic, Honda Motors, Cadence, Oyo Rooms, among
	many others
25	Cadence, associated for over 10 years
26	Multiple associate reviews are done, and then Partner reviews the claims of

		each and every application
2	7	Over phone, skype, zoom call, or in person depending on the location of the
		inventor

8. Krishna & Saurastri Associates

No	回答
1	Mumbai - 105; Pune - 18; Bangalore - 20; New Delhi - 15; Ahmedabad -
	07
2	Mumbai - 20; Pune - 07; Bangalore - 10; Delhi - 06; Ahmedabad - 02
3	-
4	Electrical, Electronics & Computer Science - 15
	Mechanical - 12
	Chemistry & Chemical - 09
	Life Sciences & Biotechnology - 09
5	All patent staff make drawings
6	Training is divided into the following stages:
	1. Training on the Patents Act and Rules.
	2. Training on filling up of forms.
	3. Training on search and analysis of search results.
	4. Training on drafting of patent specifications.
	5. Training on preparing response to office action.
	6. Training on freedom to operate search and infringement analysis.
	7. Training on firm operations and systems.
	Also each new staff must visit head office for 1 month for training
7	7 years
8	
9	In the AY 2018 our engineers drafted 375 to 400 patent applications
10	Not available
11	15 patent engineers were recruited in last three years. No one retired.
12	The total number of applications filed by us in last 3 years according to
	technical field.
	Electrical, Electronics & Computer Science - 950 - 1025
	Mechanical - 900 - 950
	Chemistry - 750 - 850
	Life Sciences - ; 600 - 725
13	2745
14	837
15	727 (patents granted in last three years) - some rejected and some orders
	not passed yet.
16	Pre Grant Opposition - 51
	Post Grant Opposition - 06
	Revocations - 03

17	Same as 16
18	1056 - 1170 first filing in India
19	2115 - 2343 (national phase application in India based on PCT or Paris
	Convention)
20	Not available
21	Not available
22	Roughly 50% - 60%
23	Not available
24	-
25	Not available
26	We have a hierarchical structure for drafting and quality control. Our
	process is as follows:
	1. Inventor interview conducted by a Senior Attorney along with 1 Mid Level
	Attorney and 1 Junior Attorney/s.
	2. Drafting strategy is devised by Senior Attorney in discussion with other
	team members.
	3. First internal draft is prepared by Junior Attorney and shared with Mid
	Level and Senior Attorney.
	4. After receipt of comments, draft is improved by Junior Attorney and sent
	to Senior Attorney for review.
	5. After review, Senior Attorney shares first draft with client.
	6. After comments from client, Senior Attorney finalizes the draft and
	shares with client for final approval before filing.
27	-

9. Gopakumar Nair Associates

1 2 2 2 3 4 2 4 5 1 1 8 5 9 3 1 1 1 R 1 1 2 3 3	回答 26 in Mumbai, 4 in Pune, 1 in Kerala, 1 in Delhi 26 in Mumbai, 4 in Pune, 1 in Kerala, 1 in Delhi 2 for Electrical, 1 for Mechanical, 7 for Biopharmaceutical, 11 for Chemical 2 Attorneys, 10 Patent Attorneys, 8 Patent Non Attorneys, 9 non patent Attorneys 1 at Mumbai In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
2 2 2 3 4 2 4 5 1 1 8 5 9 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	26 in Mumbai, 4 in Pune, 1 in Kerala, 1 in Delhi 2 for Electrical, 1 for Mechanical, 7 for Biopharmaceutical, 11 for Chemical 2 Attorneys, 10 Patent Attorneys, 8 Patent Non Attorneys, 9 non patent Attorneys 1 at Mumbai In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
3 2 4 2 A A A A A A A A A A A A A A A A A	2 for Electrical, 1 for Mechanical, 7 for Biopharmaceutical, 11 for Chemical 2 Attorneys, 10 Patent Attorneys, 8 Patent Non Attorneys, 9 non patent Attorneys 1 at Mumbai In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
4 2 A A A A A A A A A A A A A A A A A A	2 Attorneys, 10 Patent Attorneys, 8 Patent Non Attorneys, 9 non patent Attorneys 1 at Mumbai In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
5 1 6 I 7 1 8 S 9 3 10 a A 11 R 12 3	Attorneys 1 at Mumbai In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
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6 I 7 1 8 S 9 3 10 a A 11 R 12 3	In house training under 'Patent Gurukul traning programme' 10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
7 1 8 9 9 3 10 a A 11 R 12 3	10 years Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
8 S y y 9 3 10 a A A 11 R 12 3	Sr. Patent Agents - 12(10 to 15 years), Jr. Patent Associates - 8(1 to 3 years), Admin - 4(5 to 10 years), Account - 3(5 to 15 years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
9 3 10 a A 11 R 12 3	years), Admin - 4(5 to 10 years), Account - 3(5 to 15years). 350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
9 3 10 a A 11 R 12 3	350 specifications created annually by the patent engineers approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
10 a A A 11 R 12 3	approximately 18-20 specifications created annually by each patent Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
11 R 12 3	Attorney Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
11 R	Recruited - 07, Retired - None 350 complete specifications- Chemistry-190; biopharmaceticals-110;
12 3	350 complete specifications- Chemistry-190; biopharmaceticals-110;
l l n	
	mechanical and electrical- 50 approximately
13 5	500 Applications
14 2	230 Hearing Notice
15 9	90 - 95% Patents Grant
16 a	approximately 50-75 including pregrant, post grant oppositions,
r	revocations and appeals. Winning rate is about 90 - 95%
17 A	About 10 of each client
18 A	About 975
19 N	National Phase filing in (Last 3year) - 250 NP Applications
20 I	Indian filing in (Last 3 year) - about 900 Applications
21 P	PCT NP filing outside India in (Last 3 year) - approximately 350 PCT
A	Applications
22 C	Convention filing in (Last 3 year) - 100 Applications
23 N	No. of FER cases in (Last 3 year) - 220
24 A	About 50 companies
25 C	Our firm is in association with American, European and other overseas
c	companies for over 16 years, however, express our inability to disclose
d	details due to confidential reasons.
26 E	By getting approvals from both the senior patent attorneys/Inventors
27 C	On one to one basis/TelePhonic communication/ Video conference

10. Remfry & Sagar

No	回答
1	Total staff: 273
	Gurgaon Office: Patent Attorneys, Patent Engineers and Non-Patent
	Attorneys: 110, Others: 150
	Chennai Office: Patent Attorneys and Patent Engineers: 04, Others: 05
	Bengaluru Office: Patent Attorneys and Patent Engineers: 02, Others: 02
2	Patent Engineers- (Gurgaon: 64, Chennai: 04, Bengaluru: 02)
3	Electrical/Electronics: 20
	Computer: 10
	Control: 05
	Mechanics: 10
	Electronic Circuit: 05
	Chemistry: 15
	Electric Material: 07
	Image Processing: 05
	Semiconductor: 05
	Industrial Chemistry: 05
	Information Technology: 10
	Legal: 08
	Communication: 10
	Physics: 07
	Material: 05
	Others: 10
	The above numbers are not mutually exclusive as some attorneys have
	expertise in more than 1 speciality
4	Patent Attorneys- 65, Non Attorneys- 5, Non-Patent Attorneys- 46
5	Total no. of drawing in-charge: 2 (1 in Delhi and 1 in Chennai)
6	The newly employed patent engineers are trained through the following
	means:
	on-job training, lectures, participation in client interactions and inventor
	interviews.
7	10-11 years.
8	0-5 years: 10%
	5-10 year: 30%
	More than 10 years: 60%
9	100
10	Mechanical: 40

	Electronics: 30
	Chemical: 20
	Pharmaceutical/Biotechnology: 10
11	25 Patent engineers were recruited in the last 3 years.
12	On an average, the firm files approximately 5000 applications annually.
13	We have filed approximately 11000 OA responses in the last three years.
14	We have attended approximately 3000 hearings in the last three years.
15	The grant rate in respect of hearings attended is approximately 95%.
16	Approximately 50 cases annually.
17	Approximately 40 opposition cases and 10 invalidity trials annually.
18	We have filed approximately 560 applications in the last three years
	wherein application was first filed in India and the same was 4% of the total
	filings.
19	We had filed approximately 12000 applications via PCT route over the last
	three years and the same was 80% of the total filings.
20	We have filed approximately 120 applications over the last three years for
	Indian applicants and the same was 0.8% of the total filings.
21	We had filed approximately 14000 applications for foreign applicants over
	the last three years and the same was 94% of the total filings.
22	We understand that you wish to know how many applications were first
	filed in India wherein the applicant is a foreign company, specifically from
	IP5 countries. It would be difficult to provide the exact number, however,
	the percentage would be approximately 95 % of the first filed applications
	in India by our firm over the last three years.
23	Most of our clients are foreign entities. Hence, such cases are small in
	number wherein the application filed in India has no foreign family.
24	Approximately 93% of the work received by the Firm is inbound.
25	SONY CORPORATION is perhaps the oldest foreign client and we have been
	associated with them for over 30 years.
26	The quality check for the specifications created by the author is done
	through multiple levels of supervision.
27	The inventor hearing is implemented through multiple means such as face
	to face meetings, telecon, webex and video conference.

11. Legasis Partners

No	回答
1	123 total staff and 25 in IPR team
2	20
3	Electrical - 6; Computer - 3; Mechanical - 2; Biopharmaceutical and
	chemical - 3;
4	Attorneys -100; Patent Attorneys - 6; Non Patent Attorneys - 94; Non
	Attorneys - 23
5	2
6	At Legasis, we believe in adherence to the quality and knowledge Thus, we
	begin the training by imparting knowledge about basics of IPR. The training
	program includes DL-101 course (WIPO), introduction to patent searching,
	design searching, claim writing and preparing claim charts. Post the 4-week

begin the training by imparting knowledge about basics of IPR. The training program includes DL-101 course (WIPO), introduction to patent searching, design searching, claim writing and preparing claim charts. Post the 4-week training, each new patent engineer is paired with a senior patent Attorney (Buddy) who acts as a mentor to the new patent engineer. The Buddy is responsible for grooming the new patent engineer about "how to conduct invention understanding call", "types of questions to be asked", "framing the right strategy for each case", and "client interaction". The Buddy is also solely responsible for the quality of work done by the new patent engineer. Each project assigned to the new patent engineer is reviewed by an internal review committee before sharing the project with the client. The training period of the new patent engineer depends upon the recommendation provided by the internal review committee.

7 3

8

Experience with Legasis(in years)	No. of people
13	2
12	2
10-11	2
9	2
7-8	5
6-7	7
5-6	8
4-5	6
3-4	13
1-2	32
0-1	44
Total	123

- 9 | 550 patent specifications
- 10 | Electronic & IT domain 385; Mechanical domain 106; Biopharmaceutical

	and chemical - 60	
11	Retired (left the organization) - 5; Recruited - 12	
12	Electronic & IT domain- 1055; Mechanical domain - 297;	
	Biopharmaceutical and chemical - 200	
13	480	
14	130	
15	92%	
16	The matters are still sub judice.	
17	The matters are still sub judice.	
18	1035 out of 1559	
19	506 out of 1559	
20	1725 out of 2305 (applications filed worldwide)	
21	580 out of 2305 (applications filed worldwide)	
22	Number of applications filed in USA: 212, EPO: 27, China: 56, Japan: 108	
	and South Korea: 3 taking priority from IN	
23	27	
24	HCL, Tata Consultancy Services, Tata Motors, ZTE Corporation, Xiaomi,	
	GupShup Inc., Loven Systems LLC, Lighting Intelligence S.L., China	
	Academy of Telecommunications Technology, Intelligent Energy Limited,	
	Elestor BV, The University of Birmingham	
25	China Academy of Telecommunications Technology (since 2009), The	
	University of Birmingham (since 2013), HCL (since 2014), Tata Consultancy	
	Services Limited (since 2009), Intelligent Energy Limited (since 2012)	
26	At Legasis, quality check is a three fold activity. Initially, the specification	
	author finalises the claims covering essential technical features of the	
	invention. The Buddy ensures whether the claims are in line with a quality	
	check list. More specifically, the buddy pays attention to the antecedents,	
	claim construction, scope, definitiveness, ambiguity in the claims. The	
	Buddy critically evaluates the prior art level of the invention and	
	accordingly finalises the claim in a manner that the claims distinctly	
	highlights novel and inventive features. Once the claim is finalised, the	
	specification author prepares the specification and drawings. During	
	second phase of review, the Buddy verifies the content of specification	
	vis-a-vis an invention document provided by the inventor. Typically, the level of disclosure in background, technical fields, linking between each	
	element of the invention, length of title and abstract, format of drawings,	
	and one or more embodiments/examples defining the invention. Once the	
	specification is reviewed by the Buddy, the specification is sent to the	
	specification is reviewed by the buddy, the specification is sent to the	

internal review committee for doing a Third Eye Review. At this stage, the internal review committee evaluates the specification without having knowledge of the invention document shared by the inventor. It is to be noted that the internal review committee also take a note of the number of iterations between the Buddy and specification author before finalising the specification. Finally, once the internal review committee is satisfied, the specification is shared with the inventor.

- Once an invention is assigned to a patent engineer, below are the steps followed by the Patent engineer before scheduling the inventor hearing-
 - 1. Discuss the invention with the Buddy
 - 2. Draft a rough independent claim and two to three most important novel dependent claims
 - 3. Get the rough claims validated by the Buddy
 - 4. Prepare questions/queries (if any) for the inventor How the invention is conceptualised?; Background of the invention; technical problem solved; similar products/process in the market; novelty of the invention; and advantages.
 - 5. Prepare novel elements based on the rough claims
 - 6. Get the novel elements reviewed by the Buddy Once all the above steps are completed,
 - 7. Propose inventor call or meeting after discussing with the Buddy (within a day)
 - 8. Take the inventor call in presence of the Buddy.
 - 9. Validate the rough claim as prepared in step 3
 - 10. At the end of the call, paraphrase the novel elements of the invention and convey the same to the inventor(s)
 - 11. Send Novel Elements to the Inventors. At this stage, we ensure that all the queries are resolved to avoid any further dependence on the inventor.

13. Anand and Anand

	Allaliu aliu Allaliu		
No	回答		
1	Noida office - 221 ; Chennai office - 8		
2	31		
3	ICT-12;LIFESCIENCE-7;MECHANICAL-7;PHARMA & CHEMISTRY-5		
4	Patent Attorney(ICT-8;Lifescience-6;Mech-2;Pharma&CHEMISTRY-3);		
	Non-Patent Attorney(ICT-4;Lifescience-1;Mech-5;Pharma&CHEMISTRY-2)		
5	1		
6	New engineers work under the supervision of senior Patent Attorney at		
	least for a period of 2 years.		
7	Average number of years of service with the firm is 7		
8	Data of Patents team only		
	• Senior Partner(over 20 years exp) - 1;		
	 Partners & Directors(over 11 years exp) - 8; 		
	 Managing Associates(over 8 years exp) - 5; 		
	Senior Associates(over 5 years exp) - 7;		
	• Associates(over 6 months exp) -10		
9	60		
10	-		
11	15 patent engineers have been recruited in last three years(20 hired out of		
	which 5 exits); None retired		
12	-		
13	5040 applications		
14	2102 Hearings		
15	1336 application granted		
16	Granted 2481 and refused 376		
17	-		
18	200 cases		
19	In 5798 cases applications were filed through PCT route		
20	In 200 cases the applicant were Indian		
21	In 7700 cases the applicant were outside the India		
22	In 6367 the priority were if other countries.		
23	-		
24	-		
25	-		
26	-		
27	-		

作成者

特許商標 WG メンバー

WG リーダー

Nitto Denko India Private Limited 谷口真一

WG メンバー

TMI 総合法律事務所(TRILEGAL) 仲居宏太郎 Canon Singapore Pte. Ltd. 市來佑介 弁護士法人 マーキュリー・ジェネラル 山下昌彦

AsiaWise Cross-Border Consulting Singapore 所属

Wadhwa Law Offices 出向中 奥啓徳 スズキ株式会社 渥美好二 Panasonic India Pvt. Ltd. 河口嵩朋 Panasonic India Pvt. Ltd. 菊田翔平 Panasonic India Pvt. Ltd. 田中克治 フェリシテ特許業務法人 伊藤市太郎 Honda Motorcycle & Scooter India Pvt. Ltd 川崎慎治

インド IPG 事務局

JETRO ニューデリー事務所菅原洋平(~2018 年 8 月)JETRO ニューデリー事務所武井健浩(2018 年 9 月~)JETRO ニューデリー事務所羽鳥慎也(~2019 年 3 月)JETRO ニューデリー事務所楢崎聖子(~2018 年 9 月)

JETRO ニューデリー事務所 Vaishali Jain

[特許庁委託事業]

2018 年度インド IPG 特許商標ワーキンググループ

(報告書)インドの法律事務所の特許明細書作成状況

[発行・編集]

独立行政法人 日本貿易振興機構

ニューデリー事務所

知的財産権部

TEL:+91-11-4168-3006

FAX:+91-11-4168-3003

E-mail:IND-IPR@jetro.go.jp

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