

About Your Position

Examiner-Patents conducts Prior Art Search, Performs formal and substantive examination to ascertain the application's conformity with the provisions of the Patents Act and Rules and prepares Examination Reports to communicate observations for further analysis and action by Asst/Deputy/Joint/Sr Joint Controller.

Role 1	Activity Descriptions
<p>Role Level : Formal Examination and Patents Classification</p>	<p>1. Examines whether the patent application is led in the prescribed manner and that all relevant forms and documents, including the specification(s), are led within the prescribed time period and are duly signed by authorised signatories.</p> <p>2. Verifies that the prescribed fee is paid in accordance with the Patents Act and Rules.</p>
<p>Role Description: Performs formal examination to ascertain the application's conformity with the provisions of the Patent Act and Rules.</p>	<p>3. Checks the accuracy of data provided in the relevant Forms in accordance with the Patents Act and Rules.</p> <p>4. Verifies the fulfillment of proof of right, power of attorney, deed of assignment, etc, if required.</p> <p>5. In case of requests for expedited examinations, verifies the grounds applicable for filing such request, as well as the documents submitted as evidence for eligibility in accordance with the prescribed Patents Rules.</p> <p>6. Checks whether PCT National Phase applications comply with the requirement of Patents Rule 20.</p> <p>7. Checks the requirement for filing a priority document, translation of documents, where necessary, in accordance with the Patents Act and Rules.</p> <p>8. Conducts any other formality checks prescribed by the Patents Act and Rules.</p>
<p>Role 2</p>	<p>Activity Descriptions</p>
<p>Role Level: Search and Substantive Examination</p>	<p>1. Performs detailed examination of patent application in accordance with Section 12 of the Patents Act, 1970.</p>

	<p>2. Conducts comprehensive search to ascertain patentability of the claimed invention.</p> <p>3. Checks whether the invention claimed in any claim of the complete specification has been anticipated by publication before the date of filing of the applicant's complete specification in any specification filed in an application for a patent made in India and dated on or after the 1st day of January, 1912 or else where in any document other than the document mentioned earlier.</p> <p>4. Checks whether the invention claimed in any claim of the complete specification is claimed in any claim of any other complete specification published on or after the date of filing of the applicant's complete specification, being a specification filed in pursuance of an application for a patent made in India and dated before or claiming the priority date earlier than that date.</p> <p>5. Checks whether invention claimed in a complete specification is not anticipated by various provisions of sections 29 to 34 of the Patents Act, 1970.</p> <p>6. Conducts technical examination for unity of invention, as per Section 10(5) of the Patents Act, 1970.</p> <p>7. Examines the novelty, inventive step and industrial applicability of the claimed invention and arrives at relevant prior art and remarks.</p> <p>8. Examines the non-patentability aspect of the claimed invention under sections 3 and 4 of Patents Act, 1970.</p> <p>9. Examines and investigates application at the amended stage in like manner as the original specification.</p> <p>10. Examines the opposition matters led by way of representation.</p> <p>11. Assists the Controller in the hearing proceedings.</p> <p>12. In case of PCT international applications, prepares ISR/WO/IPRP as per the PCT regulations.</p> <p>13. Coordinates with Examiners from other fields, in case of interdisciplinary applications and follows-up with Group Leaders, Peers and other Verticals in case of queries/for support.</p>
<p>Role Description: Conducts search and performs</p>	

substantive examination to ascertain the claimed invention's patentability.	
Role 3	Activity Descriptions
Role Level: Examination Report Writing	1. Prepares the substantive Examination Report based on the referred application, the specification and other supporting documents and in the amended stage as well, within the prescribed period as per Section 12 of the Patents Act, 1970.
Role Description: Drafts Examination Reports to communicate observations/objecti ons for further action.	2. Prepares and submits the revised Examination Report in case the application is referred back by the Controller.
Role 4	Activity Descriptions
Role Level: Assistance on procedural and administrative matters	1. Assists RECS (Receipt, EDP, Classification and Screening Section) in-charges in carrying out various responsibilities associated with their respective sections such as publication, abandonment and withdrawal of patent applications, post-dating patent applications etc.
Role Description: Provide assistance to the Controller on procedural and administrative matters related to IP administration in general	2. Assists RMID (Record Management Information Dissemination)/PCT-RO (Patent Cooperation Treaty- Receiving Office) section in-charges in carrying out various responsibilities associated with their respective sections such as disposal of request for issuance of certified copies, processing of request for renewal of patents, IP Archive related work etc. 3. Assists GPM (General Patent Matters) section in-charges in carrying out various responsibilities associated with their respective sections such as disposal of Form 15, 16 requests scheduled under Rule 94(1) and 94(3) etc. 4. Assists in the maintenance of the register of patents as per section 67 of the Patents Act, 1970 which contains names and addresses of grantees of patents, notifications of assignments, extensions, and revocations of patents; and particulars of such other matters affecting the validity or proprietorship of patents as may be prescribed (RMID - Record Management Information Dissemination) / (GPM - General Patent Matters). 5. Assists in publication of official journals periodically under Section 145 of the Patents Act, 1970 (RECS). 6. Screens patent applications according to the field of invention.

	<p>7. Performs classification of Patent Applications according to International Patent Classification (IPC).</p> <p>8. Performs duties in the capacity as an Opposition Board (OB) member.</p> <p>9. Participates and contributes to various committees constituted by the higher authorities.</p> <p>10. Performs work related to International Affair matters.</p> <p>11. Assists in conducting patent agent examination.</p> <p>12. Assist in screening and evaluation of IP award applications.</p> <p>13. Promotes IP awareness as a resource person.</p> <p>14. Performs work in various sections in CG Office, IT Office, etc.</p> <p>15. Assists in the functioning of Quality Cell.</p> <p>16. Performs any other task assigned by the competent authority.</p>
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Competency Profile of Examiner of Patents:

The roles from the Work Allocation Order have been mapped to domain, functional and behavioural competencies at appropriate proficiency levels. This mapping is based on the knowledge, skills and attitudes that are required to perform specific roles and activities in a certain position within an organisation.

This shall be helpful in the following areas:

1. Capacity Building:

- a. Individuals: Knowing the competencies they require to successfully perform at the workplace currently and to grow, will help the Examiner of Patents to create their own learning pathways (Karmayogi Manchitras).
- b. Organisation: IP Office can provide a clear direction to its officials on learning requirements and professional development activities required to build on their competencies.

2. Life long learning and organisational culture

a. Individuals: Knowing the attitudes, skills, and knowledge that are valued and recognised at the workplace will enable the Examiner of Patents to be proactive beyond their individual positions.

b. Organisation: IP Office can outline expectations on the kind of attitudes, skills, and knowledge that will be valued and recognised at the workplace. The following table shows the list of competencies and their proficiency level that have been mapped with the roles assigned to the Examiner of Patents.

Competencies and associated Proficiency Levels			
Roles	Behavioural	Functional	Domain
<ul style="list-style-type: none"> ● Formal Examination and Patents Classification ● Search and Substantive Examination ● Examination Report Writing ● Assistance on procedural and administrative matters 	<ul style="list-style-type: none"> ● Integrity - Level 1 "Acts ethically" ● Planning and Coordination Level 2 "Monitoring own progress" ● Seeking Information-Level 3 "Digs deeper" ● Attention to Detail- Level 2 "Plans and double checks" ● Communication Level 1 "Listens attentively and presents information clearly" 	<ul style="list-style-type: none"> ● Emerging Technology - Level 1 "Maintains updated database" ● Service Leadership - Level 1 "Role model the service vision of an organisation and encourage service excellence" ● Legal Drafting and Writing Level 3 "Adapt the legal message/ arguments" 	<ul style="list-style-type: none"> ● Prior Art Searching Level 3 "Reviews retrieved documents and non-patent literature" ● Patentability Assessment Level 3 "Examines the claims on the patentability criteria" ● Examination Report Writing- Level 3 "Prepares and evaluates the report "