



KSCSTE- PIC BULLETIN

Patent Information Centre - Kerala

Kerala State Council for Science Technology & Environment

IPR NEWS

INDIA OPPOSES US PROPOSAL TO IMPLEMENT GLOBAL PATENTS

India has opposed the US proposal for global patents, saying such harmonization compromised the Country's sovereignty. "Patents are territorial rights that have to be awarded after it is evaluated that innovation satisfies the inventive step set by the patent law of the concerned country," the Department of Industrial Policy and Promotion said in a note. "India is (therefore) against patent harmonization as that compromise the sovereignty of the country," the note said. The rationale behind the US proposal is stated to be the need to reduce pending applications in intellectual property offices across the world. According to the proposal, any patent application that is examined in consultation by two or more offices and found to be suitable for award of a patent should be considered a fit case for patenting by all other members of the group. Based on this rationale, the United States has proposed global patents, which should be granted unless objections are raised against the application within a stipulated period.

The US proposal has not been accepted by developing countries including India, the note said. There are more than four lakh applications pending at various stages in the trademarks office. On the patent side, more than 76,000 applications are pending, which is a cause of concern, the note said, adding the backlog in the Indian IP office has increased in the past few years, mainly on account of sharp increase in applications.

(4th April, 2011, www.m.mydigitalfc.com)

COPYRIGHT AND WRONGS

The film industry is starkly split over proposed amendments to the Copyright Act, which are set to finally bring a measure of fairness to the question of credit and compensation. In the current system, the creativity and labour of composers, songwriters and scriptwriters are sold miserably short. Industry practice so far has been that they sign over their copyright to the producer for a one-time payment and entirely let go of their work. But so reluctant are film producers to let go, that they have threatened an indefinite strike unless the amendment is slashed, claiming this "anti-entertainment" action would "kill the industry".

The producers claim that nobody shares in the losses, so the profits should remain theirs - which is a specious argument, since the songwriters and screen writers are simply asking for a portion of whatever fate awaits the film. The success of a movie soundtrack depends on the combined efforts of the singers, the songwriter, the composer, the actors, the director, and many others. In the media environment we live in, if the copyright amendment goes through, it would give these other artists independent rights over their contribution and royalties. Establishing moral rights for performers would not only acknowledge their authorship, it would also curb the twisting of their intent. This friction over the copyright amendments is only to be expected, but this kind of selfish industrial action should not deter us from updating our copyright law for the digital millennium, and making it a fairer arrangement.

(25th December, 2010, [The Indian Express](#))

TRADE MARK 'MANJAL' REMOVED FROM REGISTRY

The Trademarks Registry has ordered that the 'Manjal' is a generic name and cannot be registered under Section 9(1) (b) of the Trademarks Act. The entry pertaining to 'Manjal' has since been removed 'in the interest of public and purity of the Register' by an order by Ms. N. D. Kasturi, Deputy Registrar of Trade Marks, at the Trademarks Registry, Chennai. The trade mark 'Manjal' was originally sought by Oriental Extractions, a healthcare products manufacturer based in Kerala, and published in the Trade Marks Journal in 2003. The application for the rectification (removal of entry) was filed by Mr. S. Siva Subramaniam, owner of Divine Pharmaceuticals, another Kerala-based small-scale manufacturer of herbal bathing soap 'Ayur Manjal.'

The Delhi High Court restrained Divine Pharmaceuticals from using the trademark or any identical or deceptively similar mark. The Deputy Registrar's order noted that trade mark 'Manjal' is a transliteration of a descriptive and commonly used word in Malayalam and Tamil languages. No particular proprietor can claim an exclusive right to use them as a trade mark since these words are considered common to the particular trade. No amount of use will either confer on it a secondary meaning, especially the use in relation to a soap where the main ingredient is Manjal, the order said.

[\(6th February, 2011, The Hindu Business Line\)](#)

GOOGLE IN TRANSLATION PACT FOR EUROPEAN PATENTS

Google said it has reached an agreement with European patent authorities to use its online technology to translate some 50 million patents. Google Inc and the Munich-based European Patent Office will cooperate to use Google Translate technology to translate patents into 28 European languages as well as into Chinese, Japanese, Korean and Russian. The translations are to serve informational and research purposes only, and will not replace legal requirements for patents to be translated by professional translators. The project is expected to be completed in 2014. "Machine translation helps to overcome language barriers and make information contained in patents globally accessible and available," and "The new translation tool is a further stepping stone to improving innovation in Europe, and enabling European businesses to play level with their competitors in other regions," said EPO President Benoit Battistelli. Mountain View, California-based Google will gain access to all the translated patents -

more than 1.5 million documents and 50,000 new patents each year - which will help improve its machine translation technology.

[\(26th March, 2011, The Times of India\)](#)

WIPRO CCLG DRAGS V3 ENGINEERS TO COURT FOR DESIGN INFRINGEMENT

Wipro Consumer Care and Lighting (WCCLG) have dragged V3 Engineers (P) Limited, a city-based company engaged in manufacture of furniture, to court for infringement of their registered designs. Wipro Limited filed a complaint in the court of City Civil and Sessions Judge Bangalore, against V3 alleging infringement of the registered designs comprising components and accessories of modular office furniture range marketed by WCCLG under the brand name I'M. In their complaint, Wipro has alleged that V3 had copied essential and stand out features of their furniture range to create similar looking furniture. After perusing the records and evidences submitted by Wipro Limited, Court has by way of ex-parte ad-interim injunction, prohibited V3 from manufacturing and/or selling furniture incorporating features registered by Wipro till further orders.

[\(3rd March, 2011, www.ipr.indlaw.com\)](#)

INTERNATIONAL PROPERTY RIGHTS INDEX (IPRI) 2011 RELEASED

The 2011 International Property Rights Index (IPRI) was released, which measures the intellectual and physical property rights of 129 nations from around the world. The IPRI uses three primary areas of property rights to create a composite score: Legal and Political Environment (LP), Physical Property Rights (PPR) and Intellectual Property Rights (IPR). Most importantly, the IPRI emphasizes the great economic differences between countries with strong property rights and those without.

In this year's report, the United States fell to 18th place with a score of 7.5 out of a possible 10.0. This is the lowest the United States has scored since the reports inception in 2007. India places a score of 5.6 out of 10 and stands in 55th position. The International Property Rights Index will provide the public, researchers and policymakers, from across the globe, with a tool for comparative analysis and future research on global property rights.

[\(International Property Rights Index 2011 Report\)](#)

Disclaimer: The views expressed in the IPR News column of the bulletin are not necessarily those of the KSCSTE or its Institutions.

Seminars/ Workshops organized

During the period January – March, 2011, PIC- Kerala organized 7 IPR Seminars/Workshops.

Programme Organized	Date and Venue	Resource Persons
National Seminar on 'Intellectual Property Rights', jointly organized by KVM College of Engineering & Information Technology, Cherthala	19th January, 2011, at KVM College of Engineering & Information Technology, Cherthala	<ul style="list-style-type: none"> • Shri. R. S. Praveen Raj • Shri. Ajith M. • Shri. Safikh S.
Seminar on 'Intellectual Property Rights', jointly organized by M.E.S. Asmabi College, Thrissur	25th January, 2011, at M.E.S. Asmabi College, Thrissur	<ul style="list-style-type: none"> • Shri. K. M. Viswanathan • Adv. Febin James • Shri. Safikh S.
Seminar on 'Intellectual Property Rights', jointly organized by University Institute of Technology, Neyyattinkara Centre	11th February, 2011, at University Study Centre, PMG, Trivandrum	<ul style="list-style-type: none"> • Shri. V.P.Balagangadharan • Shri. Prasad Rao • Shri. Safikh S.
Seminar on 'Traditional Knowledge and Intellectual Property Rights', jointly organized by Swadeshi Science Movement, Cochin	12th February, 2011, at Sree Sankara College, Kalady	<ul style="list-style-type: none"> • Shri. V.P.Balagangadharan • Dr. S. Rajasekharan • Shri. Safikh S.
National Seminar on 'Role of Intellectual Property Rights in the contemporary business scenario', jointly organized by NSS College, Manjeri.	23rd March, 2011, at NSS College, Manjeri	<ul style="list-style-type: none"> • Dr. Ajit Prabhu V. • Shri. Anoop K. Joy • Shri. Safikh S.
Inauguration of IPR Cell and Seminar on 'Role of Intellectual Property Rights in Technical Education', jointly organized by TKM College of Engineering, Kollam.	25th March, 2011, at TKM College of Engineering, Kollam	<ul style="list-style-type: none"> • Shri. V. P. Balagangadharan • Shri. Ajith M. • Dr. Bismi Gopalakrishnan • Shri. Safikh S.
Workshop on 'Intellectual Property Rights' jointly organized by Govt. Polytechnic, Meenangadi, Wayanad.	29th March, 2011, at Govt. Polytechnic, Meenangadi, Wayanad	<ul style="list-style-type: none"> • Shri. K. M. Viswanathan • Shri. Narendra Bhatta

IPR Exhibitions

- In connection with the one day "Colloquium on R&D Industry Interface for Biotech Development in Kerala" organized by Kerala Biotechnology Commission (KBC) at IMA Hall, Cochin, on 12th January, 2011, a stall of PIC-Kerala was arranged and provided IPR related services to the visitors. Around 100 visitors including Scientists, Researchers, Students and Faculty visited the Stall.
- In connection with the exhibition organized as a part of the 23rd Kerala Science Congress, held at CESS, Trivandrum, from 28th – 31st January, 2011, PIC-Kerala arranged a stall and exhibited the materials on IPR. Around 500 people including Scientists, Researchers, Students, Faculty, Grass root Innovators and General Public visited the stall.

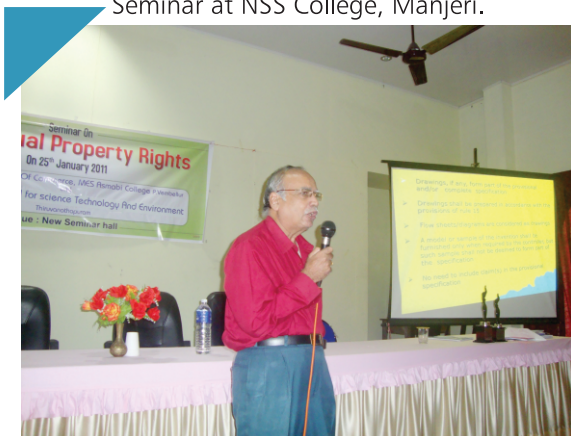
Lectures on IPR

- Lecture on 'Intellectual Property Rights for Researchers' by Dr. Ajit Prabhu V., Joint Director, KSCSTE & Nodal Officer, PIC - Kerala, at Adi Sankara Institute of Technology, Kalady, on 4th March, 2011, in connection with the three day International Conference on 'Information Security' organized by them, from 3rd – 5th March, 2011.
- Lecture on 'Patent searching and filing procedures' by Shri. Safikh S, Project Scientist, PIC-Kerala, at Adi Sankara Institute of Technology, Kalady, on 4th March, 2011, in connection with the three day International Conference on 'Information Security' organized by them, from 3rd – 5th March, 2011.

Photos



Shri. Sethuraman.K. IPS, Superintendent of Police, Malappuram inaugurates the National Seminar at NSS College, Manjeri.



Shri. K.M. Viswanathan, Rtd. Deputy Controller of Patents & Designs, Patent Office, Chennai making his presentation in the Seminar at MES Asmabi College, Thrissur



Shri. V. P. Balagangadharan, Brahmaprakash Scientist, VSSC making his presentation in the Seminar at UIT, Neyyattinkara, Trivandrum

Intellectual Property Facilitation Centre for MSME

KSCSTE with the support from Ministry of MSME, Govt. of India established an Intellectual Property Facilitation Centre for MSME (IPFC for MSME) exclusively for the MSMEs in the State. The objective of IPFC for MSME is to identify the intellectual property needs of potential clusters from the MSMEs and provide them the necessary legal and technical assistance for protecting their Intellectual Properties.

IPFC for MSME has been functioning under KSCSTE since November, 2009. So far, the IPFC officials visited around 30 MSMEs in different parts of the State. 5 Sensitization Workshops and 1 exhibition on IPR were organized exclusively for the entrepreneurs. IPFC filed 11 Trademark applications in Trademark Registry, Chennai. 19 Trademark applications, 1 industrial design, 2 Geographical Indications and 1 patent application are in the pipeline.

Editorial Board

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