

## JOINT STATEMENT OF INTENT (JSoI)

### **BETWEEN THE OFFICE OF THE CONTROLLER GENERAL OF PATENTS, DESIGNS & TRADE MARKS, INDIA (CGPDTM) AND THE JAPAN PATENT OFFICE (JPO) ON PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM**

The Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM), INDIA and the Japan Patent Office (JPO) (hereinafter referred to individually as "Office" and collectively as "Offices"), have reached a common understanding on Patent Prosecution Highway (PPH) as follows:

#### **Item 1. Objective**

The Patent offices of both the countries aim to commence a Bilateral Patent Prosecution Highway pilot program consisting of Normal PPH and PPH MOTTAINAI (commonly referred to as "IPO-JPO PPH Pilot Program") that facilitates the examination of patent applications commonly filed at both the Offices.

#### **Item 2. Implementation**

Each Office will establish its own 'Guidelines' for the execution of this Pilot Program.

#### **Item 3. Domestic laws to prevail**

The decision regarding patentability of a patent application filed under the Pilot Program will be governed strictly by the respective domestic laws and regulations applicable to the Office concerned.

#### **Item 4. Duration and number of applications**

This Pilot program will be limited to 100 patent applications originating from each Office per year for a total period of three years.

While there will be no limit on maximum number of applications from a single applicant to be received at JPO, the maximum number of applications from a single applicant to be received at IPO, may be decided by the CGPDTM from time to time.

#### **Item 5. Financial Resources**

There will be no transfer of financial resources between the Offices. Each Office will be responsible for its own expenses and costs incurred. The Pilot program will be implemented by the Offices with the resources assigned in their respective budgets, subject to their availability and provisions of domestic laws.

#### **Item 6. Technical fields**

Under this Pilot program, IPO may receive patent applications in certain specified technical fields only, viz. Electrical, Electronics, Computer Science, Information Technology, Physics, Civil, Mechanical, Textiles, Automobiles and Metallurgy while JPO may receive applications in all fields of technology.

#### **Item 7. Review/Modification**

The Pilot program may be reviewed every year. This Joint Statement of Intent (JSOI) may be amended by mutual consent in writing, specifying the date of entry into effect of such amendment.

#### **Item 8. Status**

This Joint Statement of Intent (JSOI) does not have any legal binding. It does not create any legal obligations under international or domestic laws either.

#### **Item 9. Difference in interpretation and consultation**

The Offices will resolve any difference in interpretation, amicably through mutual consultations.

**Item 10. Final clauses**

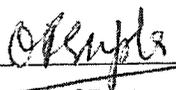
This Joint Statement of Intent (JSOI) will remain valid for a period of 3 years from the date of signing by the Offices.

However, either Office may notify its intention to terminate this Joint Statement of Intent (JSOI) by sending a communication in writing to the other Office at least 30 calendar days in advance. The JSOI shall stand terminated immediately thereafter. All applications received before termination of this JSOI shall be processed accordingly.

Signed at .....Delhi..... on 21/11/2019 (DD/MM/YYYY), in three original copies each in English, Japanese and Hindi. In case of a difference in interpretation, the English version shall prevail.

Indian Patent Office

Japan Patent Office



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Controller General of Patents, Designs and  
Trade Marks



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Commissioner