



Policy for facilitating start-ups IP protection under the Scheme for Start-ups Intellectual Property Protection (SIPP) An Initiative of Government of India

(Version: 12 July 2016)

1. Background

The Government of India has announced the SIPP scheme as per the notifications below:

- 22nd April 2016: Notification regarding IP Facilitation for Start-ups on Indian Patent Office Website (http://ipindia.nic.in/Whats_New/statupUps_Scheme_05May2016.pdf)
- 16th May 2016: Patent Amendment Rule 2016:
([http://ipindia.nic.in/IPActs_Rules/Patent_\(Amendment\)Rules_2016_16May2016.pdf](http://ipindia.nic.in/IPActs_Rules/Patent_(Amendment)Rules_2016_16May2016.pdf))
Announcing the government fees for filing the patent application for Start-ups
- 6th June 2016: List of Facilitators for Patents and Designs for Start-ups:
(http://ipindia.nic.in/Whats_New/patent_Facilitators_09June2016.pdf)
- 6th June 2016: List of Facilitators for Trademarks for Start-ups:
(http://ipindia.nic.in/Whats_New/startUps_Trademarks_22April2016.pdf)
- 6th June 2016: Guidelines for facilitators and Start-ups:
(http://ipindia.nic.in/Whats_New/Guidelines_Startups_09June2016.pdf)
- 6th June 2016: Flow chart for Patents:
(http://ipindia.nic.in/Whats_new/Patent_FlowChart_09June2016.pdf)
- 6th June 2016: Flow chart for Designs:
(http://ipindia.nic.in/Whats_New/Design_FlowChart_09June2016.pdf)
- 6th June 2016: Flow chart for Trademarks:
(http://ipindia.nic.in/Whats_New/TMR_FlowChart_09June2016.pdf)

2. Definitions / General Information:

A. Start-up, as per Scheme for Startup Intellectual Property Protection (SIPP) is defined as:

- An entity, incorporated or registered in India not prior to five years, with annual turnover not exceeding INR 25 crores in any preceding financial year, working towards innovation, development, deployment or commercialization of new products, processes or services driven by technology or intellectual property.
- Provided that any such entity formed by splitting up or reconstruction of a business already in existence shall not be considered a startup

B. Eligibility Criteria

- An entity satisfying criteria's as mentioned in point **A** above
- Entity shall be certified by the start-up certification board as having an innovative business
- Start-up shall be eligible for availing the benefits of this scheme only after it has obtained certification from the Start-up Certification Board

C. Who can be a facilitator

- Any Patent Agent registered with CGPDTM
- Any Trademark Agent registered with the CGPDTM
- Any Advocate as defined under The Advocates Act, 1961 who is entitled to practice law as per the rules laid down by Bar Council of India from time to time, who is well versed with the provisions of the relevant Acts and Rules, and is actively involved in filing and disposal of applications for trademarks
- Government departments, organizations agencies like TIFAC, NRDC, BIRAC, DEITY, DSIR etc.

D. Intellectual Property Facilitation Center

- IPFACE is a project of the Venture Center supported by the Ministry of Micro, Small and Medium Enterprises, Government of India and National Chemical Laboratory, Council of Scientific and Industrial Research, India. IPFACE is located at the NCL Innovation Park, Pune, India.
- IPFACE aims to promote awareness and adoption of intellectual property rights amongst entrepreneurs and MSMEs in India while also making accessible high-quality IP services and resources.

E. Venture Center:

- The Venture Center is a technology business incubator specializing in technology startups offering products and services exploiting scientific expertise in the areas of materials, chemicals and biological sciences & engineering.
- Venture Center strives to nucleate and nurture technology and knowledge-based enterprises by leveraging the scientific and engineering competencies of the institutions in the "Pune region" in India. The Venture Center aims to empower and enable scientists and engineers in pursuing technology, innovation and entrepreneurship objectives.

3. Policy for facilitating start-ups IP protection under the Scheme for Start-ups Intellectual Property Protection

IPFACE, Venture Center has studied the SIPP scheme and notifications pertaining to the said scheme. IPFACE, Venture Center appreciates and supports CGPDTM's efforts relating to the Startups Intellectual Property Protection. However, IPFACE is currently unable to participate in the SIPP program of CGPDTM for various reasons. The current guidelines do not support non-profit, non-governmental organizations.

The current guidelines also conflict with the existing terms and guidelines of IPFACE services and impose long term commitments on IPFACE which IPFACE is currently unable to undertake

This policy note has been announced by Venture Center in order to inform all stakeholders and clients of IPFACE and avoid any potential sources of confusion.

For availing IPFACE services visit <http://www.ipface.org/apply.php>

4. Contact person for this policy

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