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Trademarks registry revamps its online platform
India - Ranjan Narula Associates

IP offices
Registration

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The [Indian Trademark office](#) has often been in the news for the wrong reasons, with brand owners and practitioners voicing concerns about delays, the office's disorganised way of handling files, and documents going missing or being untraceable.

With over 150,000 applications filed in 2011/12 and a steady increase in the number of filings, it is difficult for the office to manage the paperwork, especially considering that the digitisation drive started only five years ago. More than 70% of applications are still filed in paper form, as opposed to electronically.

With [India now a member of the Madrid Protocol](#), it is imperative for the Trademark Office to clear its backlog and speed up its digitisation drive. Recently, the office has taken several steps to improve its functioning - in particular, it has improved its web portal by introducing several new services for the benefit of brand owners and practitioners (eg, see [here](#)).

Some of the commendable initiatives taken by the registry include the following:

- A new search module has been introduced, resulting in searches being carried out faster and results being provided in a more organised manner. Registered marks, as well as pending marks, are listed separately, making it easier to assess risks. In addition, one can now conduct searches for two-letter and even one-letter marks, which was not possible under the previous system.
- The registry has widened the scope of searches, and one can now search the names of trademark proprietors. This change aims to facilitate due diligence to record mergers, amalgamations and sale purchase transactions.
- The e-filing facility, which was confined to the filing of new applications, has been expanded to include other functions - that is, the filing of renewals, oppositions and corrections, and requests for obtaining duplicate registration certificates, certified extracts and 'no objection certificates' (which is a mandatory requirement when filing copyright applications before the Copyright Board). This service will help to reduce the number of errors that may occur due to the manual feeding of data, in particular with regard to renewals. In addition, documents filed in this manner appear on the registry's website in real time. This will ease the pressure on the registry, which will no longer need to allocate resources for scanning and uploading documents.
- The office's web portal now allows interested parties to track the status of an application for the purpose of obtaining a certificate of use in legal proceedings. The certificate is an important document that must be filed before the court to prove the registered status of the mark and thus establish a case for trademark infringement.
- Following an upgrade of the registry's software, filing receipts for any requests or applications submitted online are generated automatically and forwarded to the agents at their registered email address.
- An online facility for filing responses to examination reports has also been introduced. This will help to process applications faster and hopefully reduce the current backlog.
- The office has started to email mandatory notices (O-3) before removing a mark from the register for failure to file a renewal request.

These initiatives to improve the Trademark Office's online portal are commendable. The changes will go a long way towards improving efficiency, addressing the huge backlog and encouraging transparency.

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