

**ANNUAL TECHNICAL REPORTS  
ON THE TRADE MARK INFORMATION ACTIVITIES OF  
TRADE MARKS REGISTRY, INDIA  
FOR THE PERIOD 1<sup>st</sup> APRIL, 1997 TO  
31<sup>st</sup> MARCH, 1998**

**I. Evolution of Registration activities.**

Trade Marks Registry brings out an Annual Report highlighting activities relating to filing and registration of trade marks. The filing of applications for registration of trade marks has been steadily on the increase during the past 10 years. During 1997-98, 46,712 trade mark applications were received by the office as compared to 43,234 applications for the year 1996-97.

The break up of applications for the year 1997-98 and 1996-97 according to the nature of mark are as follows :

	<u>1997-98</u>	<u>1996-97</u>
Word marks	28,457	24,614
Device marks	9,732	16,361
Numeral marks	732	705
Letter marks	1,338	873
Letters & numeral combination mark	6,453	981
Total	46,712	43,234

A statement showing the clause-wise distribution of the applications is given in Appendix - I for the year 1997-98 and 1996-97.

**II. Matters concerning the generation, reproduction, and distribution of secondary sources of trade mark information, i.e. trade mark gazettes.**

The Trade Marks Registry brings out fortnightly statutory journal known as the Trade Marks Journal published on 1st and 16th of each month. All trade marks accepted for registration are mandatorily published in the Trade Marks Journal. Trade Marks Registry have also commenced printing in-house supplementary journals in order to clear the backlog of applications pending for advertisement.

The Trade Marks Journal gives the details of location of various offices both in English and Hindi and details regarding procedure for obtaining preliminary advice by the Registrar as to distinctiveness, request for search, details as to application number procedure, filing detail, renewal of trade marks, journal subscription and other information such as

applications accepted for registration, trade marks registered, renewed, subsequent proprietors of the mark etc. However the bulk of the trade marks journal consists of particulars of applications accepted for registration in all the 34 classes under the NICE International classification of goods and services.

Mass Storage Media and Microforms used: It is planned to use CD-ROMs for storage of records shortly.

### **III. Matters concerning classifying, reclassifying and indexing of trade mark information.**

At the Trade Marks Registry, international classification of goods (Nice Classification) is followed for the purpose of classifying goods into different classes. Regarding the figurative elements of marks, TMR follows the International Classification of the Figurative Elements of marks (Vienna Classification). A new section of Vienna classification had been incorporated for Indian gods and goddesses and mythological characters and other figurative elements. These have been entered in the computers and search facilities are available to Examiners. However under the proposed Trade Marks Bill registration of trade mark services is possible. Applicants are advised to follow the words used in the Nice Classification.

### **IV. Trade Mark Manual search file establishment and upkeep.**

The updating of manual index cards on paper format has been discontinued at the Trade Marks Registry in India since 1994 in view of availability of all registered and pending trade mark in the computer system. However, public searches are still available under the manual card system for the period upto 1994.

### **V. Activities in the field of computerized trade mark search system.**

Computerisation of the Trade Marks Registry was effected from 2.4.96 and since then most of the information received pertaining to the applications received after that date are already in the computers.

Details of registered and pending trade mark are stored in the main server at TMR, Mumbai. An electronic information exchange and computer system at the Head Registry at Mumbai and branch offices at Delhi, Madras, Calcutta and Ahmedabad started functioning from 2nd April, 1996 and a satellite based networking has been established at TMR. VSATs have been installed at all the Trade Marks Registry offices between November 95 to March, 96. TMR, Mumbai and its branches are connected via Satellite to carry out various activities like creation of computer data base on trade mark including figurative marks, computer generation of receipts and allotment of applications in respect of application for trade marks, opposition to registration of trade marks, Registered User Journal, examination of trade mark applications etc through computers, networking of main office with branch offices so that online access to data base is possible, integration of files control, online access to data base in Mumbai and branch to public using the networking system.

At present the pre-examination activities like computer generated receipts and allotment of application numbers in respect of application for trade marks filed, data entry, scanning of figurative marks, Vienna Codification followed by formality check is carried out by the automation process.

The Trade Marks Registry at Mumbai and branches have five servers, four routers, 83 PCS, 6 scanners and 27 printers.

The networking set up at TMR, Mumbai and branch offices is as follows :

TMR at Mumbai and the four branches are connected by VSATs. The Mumbai VSAT has a C-250 controller with a speed of 9,600 bps and each of the other VSATs has a C-200 controller with a speed of 1,200 bps. TMR, Mumbai and its branches are networked over NICNET. Networking involves components such as Satellite communication with X.25 interface, Client Server Architecture having branch router in DOS and Server at Unix, RDBMS of Oracle 7.0. Local Area Network on Windows for work group with TCP/IP interface. (X.25) is interfaced between server at HQ and various branches through ELCON card and software interface such as IP router. ISI-PC gateway software network has also been configured for Email and associated internet protocol.

TMR has both LAN as well as WAN. At TMR Mumbai there is a LAN set up with all the 27 workstations and the database server machine is interconnected through UTP hubs. A LAN set up is provided at each of the branches.

The TMR has a centralized data base system and as such data is available on the database at Mumbai. It is possible to do online search at Mumbai. At present the examination of applications are done online and also through batchmode system. It is possible to get statistical data and print out of the register from the computers.

**VI. Administration of trade mark services available to the public (relating to facilities e.g. for lodging, applications, registering trade marks, assisting clients with search procedures, obtaining official publications and registry extracts)**

The office has a Public Relation Section which deals with matters relating to queries regarding filing procedure, search procedure, obtaining copies of Journal etc. It is possible to obtain extracts of the Register of Trade Marks by making request on prescribed form with fees. The office also deals with search request for advise on registrability of a trade mark and also whether a trade mark is already registered or pending registration.

**VII. Matters concerning mutual exchange of trade mark documentation and information**

The Trade Marks Journal is sent to Embassies / Trade Marks Offices of Japan, USA, Australia, Canada, Netherland, Poland and Pakistan.

**VIII. Matters concerning education and training including technical assistance to developing countries.**

TMR arranges Seminars and also participates in Seminars/Workshops organized by industry organizations like Chambers of Commerce etc. and also assists in training of officials of developing countries nominated by WIPO. It also imparts training to Indians organized by associations such as Patent, Trade Mark, Designs, Copyright Owener's Association.

APPENDIX I

STATEMENT SHOWING CLASS-WISE DISTRIBUTION OF APPLICATION FOR REGISTRATION OF TRADE MARKS FROM 1ST APRIL 1997 TO 31ST MARCH, 1998 AND FROM 1ST APRIL 1996 TO 31ST MARCH 1997.

Class (the 4th schedule of T.M. Rules)	Goods	No. of Applns. filed	
		1997-98	1996-97
1.	Chemical products used in industry, science, photography agriculture, horticulture, forestry, manures etc.	1047	1439
2.	Paints and Varnishes	485	529
3.	Perfumery, cosmetics etc.	3115	2260
4.	Industrial oil and Greases (other than edible oil) etc.	352	395
5.	Pharmaceuticals. Veterinary and sanitary substances etc.	7120	7986
6.	Un-wrought and partly-wrought common metal and their alloys, etc.	577	854
7.	Machines and mechanic tools, motors, etc.	1924	1880
8.	Hand tools and instruments etc.	255	345
9.	Scientific, Nautical, Surveying and Electrical apparatus etc.	3511	3654
10.	Surgical, Medical, Dental and Veterinary Instruments, apparatus etc.	746	491
11.	Installation for lighting, heating etc.	1924	1596
12.	Vehicles, apparatus for locomotions by land, air & water	2169	1745
13.	Firearms, ammunition and projectiles, etc.	144	87
14.	Precious metals and their alloys, etc.	444	499
15.	Musical instruments (other than talking machines and wireless)	197	75

1	2	3	4
16.	Paper and paper articles etc.	3344	3238
17.	Gutta percha, Indian rubber, etc	483	605
18.	Leather and imitation of leather etc.	596	441
19.	Building materials etc.	636	680
20.	Furniture, mirrors etc.	527	415
21.	Small domestic utensils etc.	923	763
22.	Ropes, strings etc.	164	142
23.	Yarns and threads	269	280
24.	Tissues (piece goods) etc.	1196	1386
25.	Clothing including boots, shoes and slippers	5141	3729
26.	Laces and embroidery, ribbons and braids etc.	310	182
27.	Carpets, rugs, mats etc.	199	117
28.	Games and playthings etc.	475	439
29.	Meat, fish, poultry etc	1254	1199
30.	Coffee, tea, cocoa etc.	3375	2832
31.	Agricultural, horticultural and forestry products and grains not included in other classes.	751	901
32.	Beer, ale and porter, mineral and aerated waters and other non-alcoholic drinks, syrups etc.	723	704
33.	Wines, spirits and liqueurs	504	455
34.	Tobacco, raw or manufactured, smokers' articles, matches	1832	899
<b>Total</b>		<u>46712</u>	<u>43234</u>