

Patent Rules 2024 – Key Amendments (Before vs After)

<u>Rule / Provision</u>	<u>Before Amendment (Old Rules)</u>	<u>After Amendment – Patent Rules 2024</u>	<u>Practical Impact</u>
Request for Examination (Rule 24B)	RFE to be filed within 48 months from the priority/filing date	RFE must now be filed within 31 months	Applicants must decide earlier; faster examination timeline
Extension of Time (Rule 138)	Only specific timelines extendable by 1 month	The controller can extend most deadlines up to 6 months	Greater procedural flexibility
Statement regarding Foreign Applications (Form 3 / Rule 12)	Foreign filing details are continuously updated within 6 months of filing or status change	Form 3 filed only twice: (1) at filing / within 6 months, (2) within 3 months after FER	Reduced compliance burden
Working Statement (Form 27)	Filed every financial year	Filed once every 3 financial years	Major compliance relaxation
Form 27 Details	Revenue/value from manufacturing/import required	Revenue disclosure removed; only worked/not worked and licensing info	Simplified reporting
Grace Period for Public Disclosure	Grace period existed but no detailed rule/procedure	Rule 29A and Form 31 introduced to claim 12-month grace period	Clear procedural mechanism
Certificate of Inventorship	No mechanism for official recognition	Rule 70A + Form 8A allows inventor to obtain certificate	Recognition for individual inventors
Divisional Applications	Generally allowed when lack of unity in claims	Allowed when plurality of inventions disclosed in specification	Broader scope for divisional filings
Pre-Grant Opposition	Opposition automatically proceeded after filing	Controller checks prima facie case first	Reduces frivolous oppositions
Opposition Board Report (Rule 56)	Report submitted within 3 months	Timeline reduced to 2 months	Faster opposition process

Pre-Grant Hearing Fee	No fee for hearing	Fee introduced ~₹7,500 for attending the hearing	Discourages unnecessary hearings
Patent of Addition Fees	No specific fee benefit	50% reduction in filing fee	Encourages improvement patents
Renewal Fees	Standard renewal payment	10% discount if renewal is paid in advance for ≥ 4 years via e-payment	Incentivizes early payment
Patent Agent Examination	Covered Patents Act and Rules	Also includes the Designs Act and Rules	Broader qualification scope