Outline of the Quality Management System at Indian Patent Office

Prepared by the Indian Patent Office, April, 2016

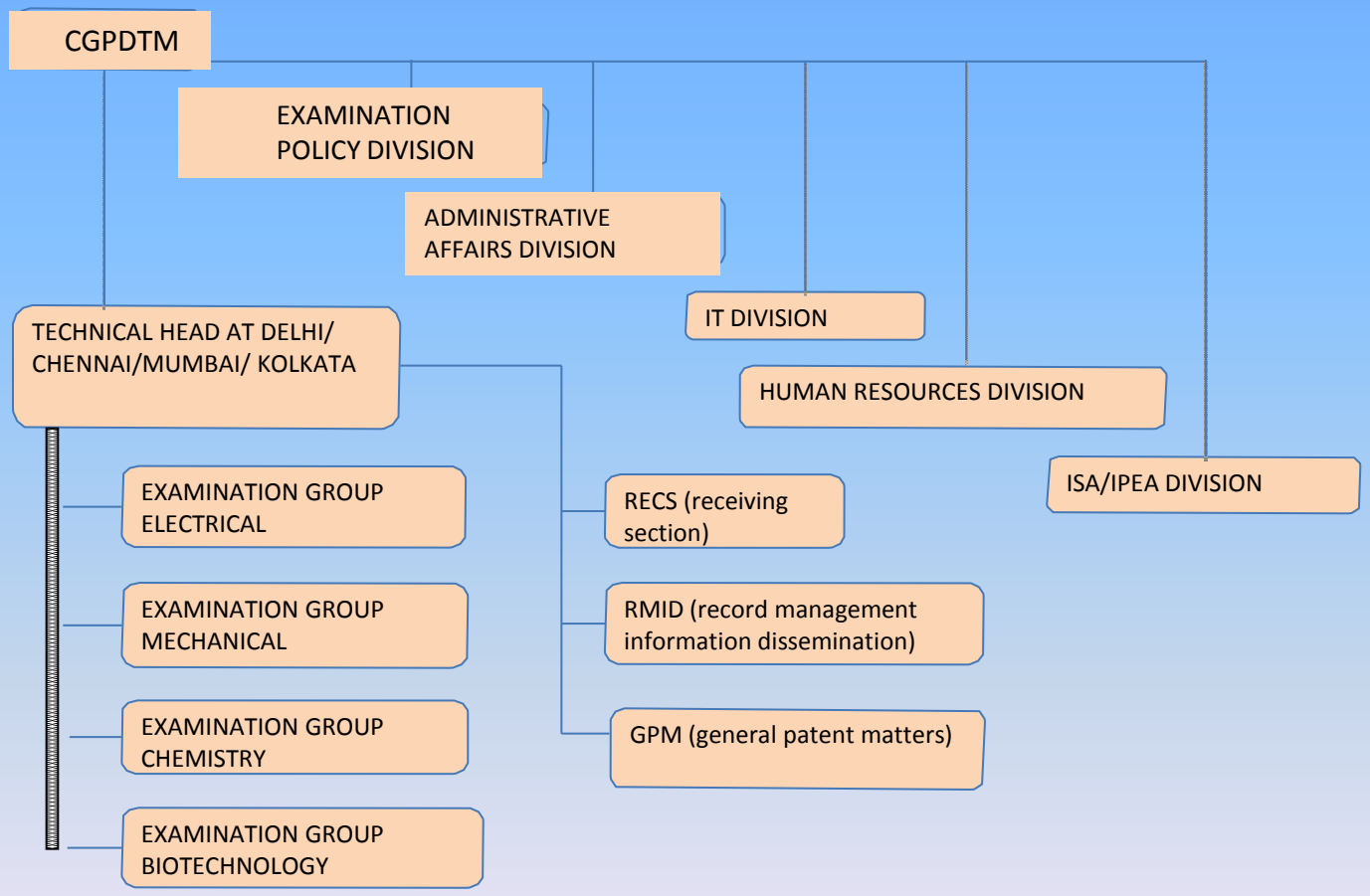
INTRODUCTION

- The Indian Patent Office (IPO) is part of the office of the Controller General of Patents, Designs and Trademarks (CGPDTM) under the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Government of India and is responsible for the grant of patents in India.

- The Patents Act 1970 was amended to fulfill the obligations of international agreements and treaties to which India became a party. The Government of India invested on infrastructure, both physical and manpower during the past decade, establishing a strong intellectual property regime in the country.

- The Indian Patent Office was recognized as an International Searching Authority and International Preliminary Examining Authority under the PCT and started functioning from 15th October 2013. IPO has access to a comprehensive collection of patent and non-patent literature that covers the PCT minimum documentation. Professionally qualified and skilled Examiners are assets of IPO.
- IPO has established a Quality Management System covering technical and administrative tasks of the office. Fully electronic processing system ensures speedy disposal and dissemination of information on real time basis. Steps have been initiated by IPO to make the QMS fully compliant with Chapter 21 of the Guidelines for Authorities under the PCT. A Quality Manual is being drafted for compliance by all members of IPO.

Organizational set up of IPO



1. LEADERSHIP AND POLICY

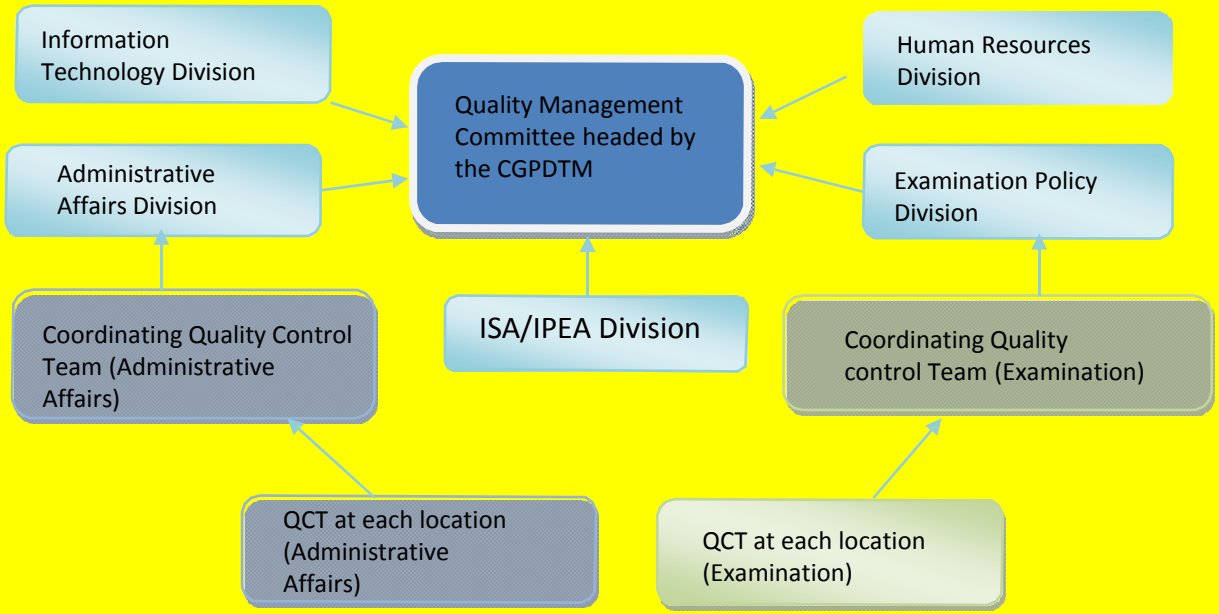
- The Quality Management System for the Indian Patent Office is established by the Controller General. The unit of IPO that is responsible for the Quality Management System is the Quality Management Committee (QMC) of IPO which is headed by the CGPDTM. The QMC is composed of representatives of Examination Policy Division (EPD), Administrative Affairs Division (AAD), Human Resources Division (HRD), IT Division (ITD) and the ISA/IPEA Division.
- The QMS is documented and contains the Quality policy in the form of Vision and Mission of IPO. It defines the roles of each Division responsible for QMS.
- The Examination Policy Division (EPD) heads all the technical examination Groups of IPO at all India level and is responsible for establishing and updating guidelines for search and examination, ensuring capacity building and bringing in uniformity and consistency in practice followed by the Examiners and Controllers at all locations of IPO. It is also responsible for planning the disposal of applications to reduce backlog. The EPD monitors the review reports of quality of the four Examination Divisions at all locations of IPO.
- The supporting divisions that manage the digitization and records are monitored and controlled by the Administrative Affairs Division (AAD). It monitors the implementation of the Document Management System in IPO. The AAD is also responsible for maintenance of IP records in the IPO. Separate wing is constituted to implement the Document Management System for International applications that includes receipt of applications, scanning, data entry and verification of data for international applications. The AAD trains the officers and staff posted at the supporting divisions.

- The (Human Resources Division) HRD maintains the records of qualification, experience and training of the staff of IPO.

- The (IT Division) ITD is responsible for software development for the electronic processing of applications and also for management of the database. The ITD builds changes in the processing software to reduce errors while processing and to facilitate reforms. It ensures real time dissemination of information as well as transparency within the organization and to the public.

- The ISA/IPEA Division addresses the requirements to function as ISA/IPEA. It ensures that the Guidelines for international search and examination are followed correctly and also imparts training to the staff entrusted with the tasks as ISA/IPEA. It manages the Formality Division of ISA/IPEA.

Organizational set up for QMS



ORGANISATIONAL SET UP OF QMS

❖The **first step** of the review is to determine the extent of achievement of quality objectives .This review is done every month by the Coordinating QC Teams.

❖The **second step** of review is done by a Committee composed of Group Leaders and Supervisory Controllers of each Examination Group, In-charge ISA, In-charge IPEA and In- Charge Quality Management and Development. This review is done every quarter and is utilized to remedy any shortfall in the implementation and achievement of quality objectives.

❖The **third step** of review is to review the quality objectives and the QMS itself wherein the organizational setup for QMS, the QMS document, the mechanisms for implementation/review etc., are considered. This is done in the Annual meeting of the Quality Management Committee (QMC).

COMMUNICATION

- Effective communication to staff regarding the importance of quality is done through circulars, meetings, guidelines etc. Copies of PCT Guidelines for Authorities are provided to all concerned officials and the need to abide by quality is stressed during meetings and trainings.

REVIEW OF QUALITY OBJECTIVES

- The Examination Groups are headed by Group Leaders who manage the output of each Group and report to the Technical Head at each location. Review meetings are held in each Group every month. Meetings chaired by the Technical Head with all Group Leaders and members of the Examination Groups are held in every quarter. RECS (Receiving Section), RMID (Record Management Information Dissemination) and GPM (General Patent Matters) also report to the Technical Head at each location. Review meetings are held annually by CGPDTM with the Technical Heads and Group Leaders as well as officers in charge of RECS, RMID and GPM at all locations.
- The quality objectives and review mechanisms are documented and made available internally. Quality aspects are inbuilt in the electronic processing software for processing of applications. Auditing and reporting facilities are also built in the software.
- The quality objectives themselves are reviewed keeping in mind continual improvement or to remedy any shortfall. This review is done during quarterly meetings of the QMC.
- Effective communication to staff regarding the importance of quality is done through circulars, meetings, guidelines etc.

REVIEW OF QMS

- The QMS is reviewed wherein the organizational setup for QMS, the QMS document, the mechanisms for implementation/review etc., are considered. This is done in the Annual meeting of the QMC.

2. RESOURCES

HUMAN RESOURCES

- The Examiners are qualified and possess different subject specialization. The work of Search and Examination are done by the subject experts depending on the technical content of the applications processed by IPO. The Examiners are given technical training in emerging fields through lectures. All Examiners are proficient in English language.

- Training is imparted to staff to support the Examination Divisions in making available prints of documents and also to manage inflow and outflow of documents.

MATERIAL RESOURCES:

- A core Committee on IT composed of Examiners and Controllers from IPOs of all four locations as well as the IT Division makes assessment about the requirements for hardware and software at all locations. The Committee decides the software as well as the specifications of hardware to be procured and used at all locations of IPO so that uniformity in standards is maintained.
- IPO has access to PCT minimum documentation. IPATS, a search tool to conduct search on Patent and non-Patent literature comprehensive to cover the minimum documentation is being developed by IPO. Search Process Documentation is also a feature of IPATS, the in-house search system of IPO. It includes the details like the databases consulted (patent and non- patent literature); the keywords, combinations of words and truncations used; the language(s) in which the search was carried out; the classes and class combinations searched, at least according to the IPC or equivalent; and a listing of all search statements used in the databases consulted.
- Instructions to eliminate errors and to maintain quality are built into the in house processing software for ISA/IPEA operations.
- Effective communication to staff regarding the importance of quality and to follow procedures accurately and consistently is done through circulars, meetings, guidelines etc.

TRAINING RESOURCES:

- The Examiners are given initial training of 3 months duration immediately after induction as Examiners. This is followed by on the job training for eight months under the supervision of a senior Examiner. Refresher training is given during the last one month of the first year. Training programs are conducted at the Rajiv Gandhi National Institute for Intellectual Property and Management located at Nagpur, India.

- Training is imparted to staff to support the Examination Divisions in making available prints of documents and also to manage inflow and outflow of documents.

- The Controllers are given judicial training to help them perform their quasi-judicial functions effectively.

- Trainings are also imparted to Examiners and Controllers by experts from other patent offices functioning as ISA/IPEA and from the WIPO. Special training for Examiners is also conducted in respect of International Patent Classification.

OVERSIGHT OVER RESOURCES:

- The work in the Examination Groups is continuously monitored by the Group Leaders who report the changes in demand to the Technical Head. Quality assessment is also done by the Group Leaders. The work of Examiner is supervised by Controller for correctness and quality. Digitization reports are generated for the quantum of inflow and outflow from the Receipt Section to analyze the timely digitization of documents. These reports are reviewed by the Controller in charge of the Receipt Section at each of the locations of IPO and the manpower is adjusted to cope up with the demand. The Review report and the changes are reported to the Technical Head at each location.

3. MANAGEMENT OF ADMINISTRATIVE WORKLOAD

- When an international application is allotted for international search/ preliminary examination, the Examiner is also provided with a time limit sheet which guides the Examiner regarding the time limits to be followed for issue of invitations and notifications as well as the ISR/WO/IPER.

4. QUALITY ASSURANCE

- As per the work flow decided for ISA/IPEA, the ISR/WO/IPER or the declaration that no ISR will be established is supervised for correctness and quality by a Supervisory Controller and again by the Group Leader before issue by Examiner, in respect of all PCT international applications.
- Since September 2015, there has been a change in the quality assurance process in ISA/IPEA. The reports prepared by the Examiner are checked for correctness and quality by a supervisory Controller in each of the four Technical Examination Groups. The Examiners generate the reports after approval by the Supervisory Controller of the Group.
- A central Quality Cell has been constituted in September 2015 to conduct post generation quality checks on all the reports before issuing them to the applicants and the IB. In case of non-conforming products, the Quality Cell intimates the Examiner and Controller and the remedial actions are taken before issuing the reports. The Quality Cell also has the responsibility to sensitize the Examiners for corrective/preventive steps. The records relating to non-conforming products, corrective and preventive actions are maintained for future reference.

- Quality Teams composed of Examiners are constituted for each of the Examination Groups at all locations of IPO. There are 4 Examination Groups namely, Chemical, Bio-technology, Mechanical and Electrical Groups at each of the locations. Thus there are QT-C, QT-B, QT-M and QT-E at IPOs at Delhi, Chennai, Mumbai and Kolkata. These Quality Teams randomly select patent applications at the beginning of a month which are examined by the Examiners of the Group and conduct search and examination independently for quality audit. The feedback is given to the Examiner who examined the case.

- The drawbacks noticed during quality audit are followed up to remedy them. Reports and suggestions for improvement are submitted by the Quality Teams of each Group to the Group Leader of the Group and a consolidated Report with recommendations is sent by the Group Leader to the Technical Head. Copies of this consolidated report are sent also to Group Leaders of the same Group and the Technical Heads at other three locations. This aids in establishing uniformity among Examiners working at different locations.

5. COMMUNICATION
INTER AUTHORITY COMMUNICATION

Name of designated
quality contact person: Ms. Rekha.V

Job title: Deputy Controller of
Patents and Designs

Contact details: Boudhik Sampada Bhawan,
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COMMUNICATION AND GUIDANCE TO USERS

- The Technical Head at each location is the contact person for stakeholders for handling complaints and making corrections.

- A separate Public Facilitation Centre for ISA/IPEA operations is functioning in IPO for assisting the stakeholders. The stakeholders can lodge complaints/grievances to the officer in charge of the Public Facilitation Centre of ISA/IPEA.

- CGPDTM holds Stakeholder meetings in every quarter at all locations to have face to face interaction with stakeholders and to take suggestions.

COMMUNICATION WITH WIPO AND ELECTED OFFICES

- The Head of ISA/IPEA Division of IPO is responsible for communication with WIPO and Designated/ Elected offices. WIPO circulars and feedback are promptly addressed.

6. DOCUMENTATION

- A Quality Manual is under documentation in the office. Currently, effective communication to staff regarding the importance of quality is done through circulars, meetings, guidelines etc. The quality objectives and review mechanisms are documented and made available internally. Quality aspects are inbuilt in the electronic processing software for processing of applications. Auditing and reporting facilities are also built in the software. Quality Teams and quality audit reports are communicated to all concerned.

- The Quality Manual that includes all details is under documentation by the office. Quality policy, scope of QMS, organizational structure, and instructions to maintain quality in all processes are communicated to all concerned through circulars, office orders and meetings

TYPES OF RECORDS MAINTAINED BY THE AUTHORITY

- The documents kept and where they are kept are documented and kept in the office of CGPDTM. The results of management review are also kept in the records of the office of CGPDTM.
- Training, skills and experience of personnel is maintained in the Human Resources Division of the office of CGPDTM.
- Evidence of conformity of processes, resulting products and services in terms of quality standards are recorded in the quality review reports of different works. Results of reviews of requirements relating to products are also maintained. This is maintained in the Quality Management Division of office of CGPDTM.
- All details regarding search and examination processes carried out on each application as well as data allowing individual work to be tracked and traced are stored automatically as per the electronic processing software for ISA/IPEA operations.
- Records of QMS audits, corrections, preventive action etc. are maintained in the Quality Management Division of office of CGPDTM.

7. SEARCH PROCESS DOCUMENTATION

- The details like databases consulted and search strategy are to be provided for each application by the Examiner as per the workflow of the electronic processing software.

- Search Process Documentation is also a feature of IPATS, the in-house search system being developed. It includes the details like the databases consulted (patent and non-patent literature); the keywords, combinations of words and truncations used; the language(s) in which the search was carried out; the classes and class combinations searched, at least according to the IPC or equivalent; and a listing of all search statements used in the databases consulted.

8. INTERNAL REVIEW

- Quality Management Committee conducts annual review meeting chaired by CGPDTM to review the compliance and adequacy of the QMS.

RECENT DEVELOPMENTS

- ✓ 49 Examiners were promoted to Assistant controller and they have completed judicial training on February 2016 which help them perform their quasi-judicial functions effectively.
- ✓ To improve Human Resources IPO recruited 400 New Examiners and the training program started on 11th April, 2016.
- ✓ To substantially increase productivity Dual LCD monitors are provided to the examiners to compare the cited documents, type objections in the module while seeing the claims in the second monitor, compare drawings and description etc.
- ✓ We are committed to achieve professional excellence, reliability, thoroughness, consistency, transparency, fairness and timeliness in providing product and services of highest quality to the utmost satisfaction of the users ensuring that the rights granted are commensurate with the contribution made in the field of science and technology.

OUR QUALITY POLICY

- *Our policy is to achieve and maintain the best standards of quality in all our products and services. (Vision)*
- *We, at the Indian Patent Office, identify the following yardsticks determining the quality of our products and services (Mission)*
- ***Reliability of our search reports,***
- ***Predictability of our examination reports,***
- ***Timeliness in delivering services,***
- ***Correctness of data while providing patent information***
- ***Real time dissemination of information***
- ***Stakeholder satisfaction encouraging feedbacks and being responsive and***
- ***Continual improvement***
- For achieving the mission, **quality objectives will be drawn, documented and communicated to all members of IPO for compliance.**

THANK YOU