

Meeting 2: In-Person Discussion on Draft Guidelines for Examination of Computer Related Inventions (CRIs), 2025

Date: May 13, 2025

Venue: IPO, Delhi

Chairperson: Prof. (Dr.) Unnat P. Pandit (CGPDTM)

Participants

a) Offline:

S.No.	Name	IN/PA and Office Details
1.	Smt Anindita Goswami	IN/PA-2179 (S.Majumdar & Co, New Delhi)
2.	Shri Abhishek Sen	IN/PA-980 (S.Majumdar & Co, New Delhi)
3.	Smt Garima Rai	IN/PA-2384 (DE Penning & DE Penning)
4.	Smt Preeti Sharma	DE Penning & DE Penning
5.	Shri Ashwani Balayan	IN/PA-1149 (ALG India Law Offices LLP)
6.	Smt Chandni Agarwal	Google, India
7.	Shri Himanshu Chawla	K&S Partners
8.	Shri Saurabh Kr Gautam	Kan & Krishme
9.	Shri Sahil Pahwa	-
10.	Smt Priyanka Shukla	Kan & Krishme
11.	Smt Vasupriya Awasthi	RK Dewan & Co
12.	Shri Deepak Singh	RK Dewan & Co
13.	Shri Kamal Deep	RK Dewan & Co
14.	Smt Saumya Shandilya	Obhan & Associates
15.	Smt Aparna Kareer	Obhan & Associates
16.	Shri Neel Kamal Jain	NeelKamal & Associates
17.	Smt Yogita Agarwal	Khaitan & Co
18.	Smt Bharti Jain	IN/PA-1507 SwaSh Legal Consultants
19.	Smt Priya Singh	Anand and Anand
20.	Smt Ritika Ahuja	Anand and Anand
21.	Shri Shubham Nayyar	Anand and Anand
22.	Shri Abinav Agarwal	Lall & Sethi
23.	Shri Joginder Singh	Lexorbis
24.	Smt Saranya R	CDAC, Pune
25.	Shri Lokendra Singh	Boudhik IP, LLP
26.	Smt Ritushka Negi	Remfry & Sagar
27.	Smt Yamini Jindal	US India Business Council
28.	Shri Dinesh Sharma	US Embassy, New Delhi
29.	Shri Hiroyuki Nakano	JETRO, New Delhi
30.	Smt Ritika Mehta	JETRO, New Delhi
31.	Shri Sandeep Pandey	Cyril Amarchand Mangaldas, Noida
32.	Smt Garima Sethi	Chadha & Chadha

33.	Shri Ankush Mehta	Mehta & Mehta Associates
34.	Shri Gaurav Chhibber	Chadha & Chadha
35.	Shri Nishant Sharma	Dolby Technology India
36.	Shri Eashan Gosh	Independent
37.	Smt Megha Banerjee	LexPax Mundus

IP Officials present offline:

S.No.	Name	Designation/Office
1.	Prof. (Dr.) Unnat P. Pandit	Controller General of Patents, Designs and Trade Marks
2.	Shri Yogesh V. Bajaj	Deputy Controller of Patents and Designs
3.	Shri Santosh Kumar Gupta	Assistant Controller of Patents and Designs
4.	Shri Vishal Shukla	Assistant Controller of Patents and Designs
5.	Shri Chandan Kumar Jha	Assistant Controller of Patents and Designs
6.	Shri Rahul Gahlan	Assistant Controller of Patents and Designs
7.	Shri Anuyog Chauhan	Examiner of Patents and Designs
8.	Shri Narender Singh Yadav	Examiner of Patents and Designs
9.	Shri Divek Jangir	Examiner of Patents and Designs

b) Online

S.No.	Name	Designation
1.	Shri Hitender Dalal	Examiner of Patents and Designs
2.	Shri Kishan Kumar Singh	Examiner of Patents and Designs
3.	Shri Prashant Kumar Dixit	Examiner of Patents and Designs
4.	Shri Chetan Mann	Examiner of Patents and Designs
5.	Shri Diwakar Shukla	Examiner of Patents and Designs
6.	Shri Shubham Kumar	Examiner of Patents and Designs
7.	Smt Smriti	Examiner of Patents and Designs
8.	Shri Udit Pathak	Examiner of Patents and Designs
9.	Shri Vivek Kumar	Examiner of Patents and Designs
10.	Shri Mayank Sikarwal	Examiner of Patents and Designs
11.	Shri Vivek Kumar Giri	Examiner of Patents and Designs
12.	Shri Ashish Ratnawat	Examiner of Patents and Designs
13.	Shri Ambuj Verma	Examiner of Patents and Designs
14.	Shri Tejpratap Singh	Examiner of Patents and Designs
15.	Shri Dheeraj Kumar Daksh	Examiner of Patents and Designs
16.	Shri Nihal Kumar	Examiner of Patents and Designs
17.	Shri Shubhank Srivastava	Examiner of Patents and Designs
18.	Smt Sushila Kumari	Examiner of Patents and Designs
19.	Shri Tej Prakash Mittal	Examiner of Patents and Designs

20.	Smt Minal Mohar	Examiner of Patents and Designs
21.	Shri Aditya Gedam	Examiner of Patents and Designs
22.	Shri Vishal Raj	Examiner of Patents and Designs
23.	Shri Amit Singh	Examiner of Patents and Designs
24.	Shri Abhishekh	Examiner of Patents and Designs
25.	Shri Aashish Kumar Kapil	Examiner of Patents and Designs
26.	Shri Varun Khokher	Examiner of Patents and Designs
27.	Smt Neha Shihra	Examiner of Patents and Designs
28.	Shri Shikhar Singh	Examiner of Patents and Designs
29.	Shri Prem T S	Examiner of Patents and Designs
30.	Shri Hari Balaji K S	Examiner of Patents and Designs
31.	Smt Divya Lakshmi P	Examiner of Patents and Designs
32.	Shri Boddu Chaitanya Kumar	Examiner of Patents and Designs
33.	Shri Subash V	Examiner of Patents and Designs
34.	Shri Shashank Shekhar	Examiner of Patents and Designs
35.	Shri Gyan Vishal	Examiner of Patents and Designs
36.	Shri Ankit Kumar	Examiner of Patents and Designs
37.	Shri Prince Kumar Mittal	Examiner of Patents and Designs
38.	Shri Abhishek Kumar	Examiner of Patents and Designs
39.	Shri Siddharth Chavan	Examiner of Patents and Designs

1. Opening Remarks

- Prof. (Dr.) Unnat P. Pandit (CGPDTM) commenced the meeting by providing a background of the earlier stakeholders' meeting held at IPO, Mumbai. He emphasized the need for:
 - Inclusion of more examples in annexures.
 - Multiple revisions of the CRI (Computer Related Invention) guidelines for clarity and standardization.

2. Stakeholder comments and official responses:

S. No.	Stakeholder	Comments	Response
1.	Smt Chandni Agarwal & Shri Ashwani Balayan	- Sufficiency of Disclosure for AI inventions is too rigid. - Device claims are rejected based on form. - Suggest using "patent-eligible" and "non-patenteligible"	Prof. (Dr.) Unnat P. Pandit (CGPDTM): - Patent Office cannot include everything. - More examples with reasoning needed. - Possibility of separate AI invention

		terminologies.	<p>guidelines to be explored.</p> <p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> - Guidelines use terminologies aligned with Section 3 of The Patents Act, 1970. - Guidelines should harmonize with global standards while preserving national territorial rights. - Indian statutory language must remain primary. - Harmonisation with global norms is welcome but within Indian legal framework.
2.	Shri Abhishek Sen	- Need standard understanding of system claims across all controllers.	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Agreed to address inconsistency in controller decisions. - Multiple revisions of CRI guidelines are planned.
3.	Smt Aparna Kareer	- Guidelines should suggest methods to convert non-patentable claims into patentable ones.	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Direct conversion method is impractical. - Instead, more detailed examples will be included in annexures to assist applicants.
4.	Smt Ritushka Negi	<ul style="list-style-type: none"> - Insufficient reference to emerging technologies. - SoD too rigid and ambiguous for AI inventions. - Suggested optional disclosures. - Clarity on “substance vs form” is needed. 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - SoD for AI will be addressed case-by-case. - Stakeholders are encouraged to provide examples with reasoning. <p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> - Core inventive concept must be disclosed. <p>Shri Yogesh V. Bajaj:</p> <ul style="list-style-type: none"> - All claimed elements must be disclosed in the specification.
5.	Smt Ritika Ahuja	<ul style="list-style-type: none"> - SoD for AI inventions too strict. - Current definition of “Algorithm” is broader than 	<p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> - Priority for definitions: (1) Indian statute, (2) Case laws, (3) Dictionary. - Case laws used for terms not covered

		<p>previous ones.</p> <ul style="list-style-type: none"> - Introduce definitions for AI terms. - Include case laws in annexure. 	<p>in law (e.g., Technical Effect/Contribution).</p> <p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Agreed to explore separate AI invention guidelines.
6.	Shri Himanshu Chawla & Smt Anindita Goswami	<ul style="list-style-type: none"> - EPC provides detailed AI-related examination guidelines. - SoD approach from EPC can be adopted. 	<p>Shri Rahul Gahlan:</p> <ul style="list-style-type: none"> - Current CRI guidelines already state that disclosing characteristics of training data is acceptable if full dataset is not feasible. <p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - SoD clarification with examples will be added.
7.	Smt Yamini Jindal	<ul style="list-style-type: none"> - CRI guidelines silent on GCC. - Need to standardized IP creators. 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Not within the scope of CRI guidelines. - GCC is already standardized as an applicant.
8.	Smt Bharti Jain	<ul style="list-style-type: none"> - Hardware aspects of the invention must be considered. 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Hardware references must be explicitly included in the specification.
9.	Shri Hiroyuki Nakano	<ul style="list-style-type: none"> - Appreciated examples in Section 5 that differentiate patentable from non-patentable claims. 	<p>Noted with appreciation.</p>
10.	Shri Nishant Sharma	<ul style="list-style-type: none"> - More clarity on algorithm definitions and training data for AI inventions. - Disclosure requirements for Blockchain (e.g., distributed ledger) should be specified. 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Training data disclosure should be standardized to assist PSITA in understanding the invention.
11.	Smt Garima Sethi	<ul style="list-style-type: none"> - Propose multifactor test for Technical Effect (as in EPC). - Need verifiable metric for evaluating patentability. 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - Applicants should describe technical effect in their written submission. - Agreed to discuss 1tandardizati identification of Technical Effect.
12.	Shri Sandeep Pandey	<ul style="list-style-type: none"> - Consider EP guidelines for AI inventions. - Refer to NASSCOM 2025 report for patterns in 	<p>Prof. (Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> - EP guidelines are jurisdiction-specific and cannot be directly applied to India.

		granted/rejected patents.	
13.	Other Stakeholders	<ul style="list-style-type: none"> - Need clear demarcation of patentable vs. non-patentable claims with reasoning. - Clarify Patent Office's interpretation of case law. - Confusion exists between application vs system claims. 	Prof. (Dr.) Unnat P. Pandit (CGPDTM): <ul style="list-style-type: none"> - Clarification of key concepts will be given through examples. - General understanding of case law will be included rather than case-by-case reasoning. - Harmonisation in claim construction will be addressed in revised guidelines.

3. Conclusion

- Prof. (Dr.) Unnat P. Pandit (CGPDTM) concluded the meeting by reiterating:
 - The primary aim of CRI guidelines is to reduce variance in examination and prosecution.
 - Harmonisation among examiners, controllers, and attorneys is essential.
 - Multiple revisions will be required to achieve standardization.