

## **Meeting 3: In-Person Discussion on Draft Guidelines for Examination of Computer Related Inventions (CRIs), 2025**

**Date:** May 21, 2025

**Venue:** IPO, Kolkata

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

### **Participants**

#### **a) Offline:**

<b>S.No.</b>	<b>Name</b>	<b>IN/PA and Office Details</b>
1.	Shri Amar Mallick	IN/PA-4470
2.	Shri Saunak Sarbajna	Advocate, High Court Calcutta
3.	Shri Koushik Bera	DE Penning & DE Penning
4.	Shri Mallar Mukhopadhyay	DE Penning & DE Penning
5.	Shri Dipanjan Som	DE Penning & DE Penning
6.	Smt Rosalima Gupta	P.S. Davar & CO
7.	Smt Sudipta Banerjee	P.S. Davar & CO
8.	Smt Meenakshi Maharaj	D.P. Ahuja & CO
9.	Smt Snigdha Rani Das	D.P. Ahuja & CO
10.	Shri Anjan Sen	Anjan Sen & Associates
11.	Shri Amit Nandy	Anjan Sen & Associates
12.	Smt Sohini Mondal	-
13.	Shri Ranjan Paul	IN/PA-498 (Daswani & Daswani)
14.	Shri Parambrata Chakraborty	Patent Information Centre, Kolkata
15.	Smt Paramita Saha	Patent Information Centre, Kolkata
16.	Smt Sangita Sengupta	Patent Information Centre, Kolkata
17.	Shri Ritish Das	Patent Information Centre, Kolkata
18.	Smt Amrita Majumdar	S. Majumdar & CO
19.	Smt Sanchita Ganguli	S. Majumdar & CO

#### **IP Officials present in-person:**

<b>S.No</b>	<b>Name</b>	<b>Designation/Office</b>
1.	Prof.(Dr.) Unnat P. Pandit	Controller General of Patents, Designs and Trade Marks
2.	Shri Pramathesh Sen	Joint Controller of Patents and Designs, Head of Office Kolkata
3.	Shri Santosh Kumar Gupta	Assistant Controller of Patents and Designs
4.	Shri Vishal Shukla	Assistant Controller of Patents and Designs
5.	Shri Arnab Bhattacharya	Examiner of Patents and Designs

6.	Shri Rakesh Chandra Joshi	Examiner of Patents and Designs
7.	Shri Anuyog Chauhan	Examiner of Patents and Designs
8.	Shri Narendra Singh Yadav	Examiner of Patents and Designs
9.	Shri Divek Jangir	Examiner of Patents and Designs
10.	Shri Shashank Shekhar	Examiner of Patents and Designs
11.	Shri Gyan Vishal	Examiner of Patents and Designs
12.	Shri Ankit Kumar	Examiner of Patents and Designs
13.	Shri Prince Kumar Mittal	Examiner of Patents and Designs
14.	Shri Abhishek Kumar	Examiner of Patents and Designs

#### **b) Online**

<b>S.No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Rahul Gahlan	Assistant Controller of Patents and Designs
2.	Shri Chandan Kumar Jha	Assistant Controller of Patents and Designs
3.	Shri Hitender Dalal	Examiner of Patents and Designs
4.	Shri Kishan Kumar Singh	Examiner of Patents and Designs
5.	Shri Siddharth Chavan	Examiner of Patents and Designs
6.	Shri Prashant Kumar Dixit	Examiner of Patents and Designs
7.	Shri Chetan Mann	Examiner of Patents and Designs
8.	Shri Diwakar Shukla	Examiner of Patents and Designs
9.	Shri Shubham Kumar Shukla	Examiner of Patents and Designs
10.	Smt Smriti	Examiner of Patents and Designs
11.	Shri Udit Pathak	Examiner of Patents and Designs
12.	Shri Vivek Kumar	Examiner of Patents and Designs
13.	Shri Mayank Sikarwal	Examiner of Patents and Designs
14.	Shri Vivek Kumar Giri	Examiner of Patents and Designs
15.	Shri Ashish Ratnawat	Examiner of Patents and Designs
16.	Shri Ambuj Verma	Examiner of Patents and Designs
17.	Shri Dheeraj Kumar Daksh	Examiner of Patents and Designs
18.	Shri Nihal Kumar	Examiner of Patents and Designs
19.	Shri Shubhank Srivastava	Examiner of Patents and Designs
20.	Smt Sushila Kumari	Examiner of Patents and Designs
21.	Shri Tej Prakash Mittal	Examiner of Patents and Designs
22.	Smt Minal Mohar	Examiner of Patents and Designs
23.	Shri Aditya Gedam	Examiner of Patents and Designs
24.	Shri Vishal Raj	Examiner of Patents and Designs
25.	Shri Amit Singh	Examiner of Patents and Designs
26.	Shri Abhishekh	Examiner of Patents and Designs
27.	Shri Aashish Kumar Kapil	Examiner of Patents and Designs
28.	Shri Varun Khokher	Examiner of Patents and Designs
29.	Smt Neha Shihra	Examiner of Patents and Designs

30.	Shri Shikhar Singh	Examiner of Patents and Designs
31.	Smt Reshma Chittibabu	Examiner of Patents and Designs
32.	Shri Prem T S	Examiner of Patents and Designs
33.	Shri Hari Balaji K S	Examiner of Patents and Designs
34.	Smt Divya Lakshmi P	Examiner of Patents and Designs
35.	Shri Boddu Chaitanya Kumar	Examiner of Patents and Designs
36.	Shri Subash V	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' meetings held at IPO, Mumbai and Delhi. He emphasized that:
  - AI cannot be considered an inventor under current Indian law.
  - Emphasis on capturing AI assistance and human contribution in the specification.
  - Disclosure should enable a Person Skilled in the Art (PSITA) to reproduce the invention.
- Proposed options for AI:
  - Add a separate chapter on AI in current guidelines.
  - Issue independent guidelines for AI.
  - Continue evolving the current structure with necessary additions.

## 2. Key Discussions & Stakeholder Inputs

S.No.	Stakeholder	Comments	Response
1.	Shri Anjan Sen	- IPR awareness need to be created for national interest - Crux of legal case laws to be inserted along with the interpretation of IP office. - To provide hyperlinks of relevant case laws in the guidelines	Prof.(Dr.) Unnat P. Pandit (CGPDTM): - Agreed and substantiated this using India's global standing in Global Innovation Index. - Agreed about inclusion of analysis of case laws but with a caveat that case laws statements are application specific and one case order cannot be made applicable to every other application. - Suggested to capture only technical statements of case laws instead of generalised statements. - Reiterated that IP office is working to create a bibliographic database of CRI

			<p>related case laws.</p> <p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> <li>- Highlighted that the excerpts from case laws are given to set the context about various terminologies introduced in these case laws. After that their explanation is provided for better clarity.</li> </ul>
2.	Shri Ranjan Paul	<ul style="list-style-type: none"> <li>- Argued that examples provided during the written submission stage are not generally accepted by the controllers.</li> <li>- Asked whether to provide examples in specification or at the written submission stage.</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Highlighted the fact that whatever is being claimed must be supported with relevant example in the specification</li> <li>- Every correlation must be explained through examples.</li> <li>- The intention of CRI guidelines is not to guide applicant how to add examples in specification.</li> </ul>
3.	Smt Meenakshi Maharaj	<ul style="list-style-type: none"> <li>- Dictionary definition of terms used in CRI may narrow down the scope. Suggested to take advantage of broader scope of technological terms to support innovation.</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Agreed and suggested to provide the relevant definition by the applicant in written submission which is in the best interest of the applicant.</li> <li>- IP office is open to have suggestions.</li> <li>- CRI guidelines cannot be made a dictionary of definitions.</li> </ul> <p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> <li>- Priority to definition is given in following order:</li> <li>- Indian statute</li> <li>- Case laws</li> <li>- Dictionary</li> <li>- Cannot rely on any single definition</li> </ul>
4.	Shri Amar Mallick	<ul style="list-style-type: none"> <li>- Appreciated the inclusion of examples in guidelines but pointed out that disclaimer is missing.</li> <li>- Analysis of patentable and non-patentable examples is missing</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Disclaimer has already been included in Section 5.1 of CRI guidelines</li> <li>- Reiterated to bring more example to annexures with explanation</li> <li>- Suggested stakeholders to come up with more such examples to be included in the guidelines.</li> </ul>
5.	Shri Dipanjan	<ul style="list-style-type: none"> <li>- Commented that CRI lacks procedural steps to identify</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Agreed to have a thumb rule for assessing</li> </ul>

	Som	<p>technical effect.</p> <ul style="list-style-type: none"> <li>- More examples are required for system and apparatus claims</li> <li>- Analysis to examples is required</li> </ul>	<p>patentability in general while not restricting to few technologies.</p> <ul style="list-style-type: none"> <li>- Description of technical effect is to be provided by the applicant in the specification itself.</li> <li>- Examples and case laws can be further utilised to provide better explanation to terms like “technical effect”.</li> </ul>
6.	Smt Sanchita Ganguli	<ul style="list-style-type: none"> <li>- Pointed out that the mindset of IP office w.r.t. commercialisation needs to be changed.</li> <li>- Analysis of examples is to be included</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Agreed that IP office must act as a facilitator and not as a custodian of IP</li> <li>- Agreed to bring harmony in the decisions of controllers.</li> </ul>
7.	Other Stakeholders	<ul style="list-style-type: none"> <li>- Most controllers allow method claims while disallow system claims due to absence of novel hardware</li> <li>- Suggested to add examples related to blockchain and quantum computing</li> </ul>	<p>Prof.(Dr.) Unnat P. Pandit (CGPDTM):</p> <ul style="list-style-type: none"> <li>- Reiterated importance of examples to clear this ambiguity.</li> <li>- A single document cannot capture all approaches to system claims</li> <li>- Section 4.2 of CRI guidelines already cover that substance of claim should be prioritised instead of its form.</li> <li>- Agreed to include examples covering wider emerging technologies.</li> <li>- Suggested to explain commercial and economic significance of the claimed invention in the specification for unity of invention.</li> </ul> <p>Shri Santosh Kumar Gupta:</p> <ul style="list-style-type: none"> <li>- Clearly stated that substance of claim is more important than its form which is substantiated by providing examples of both system and method claims in the guidelines.</li> </ul>

### 3. Conclusion

- Prof.(Dr.) Unnat P. Pandit (CGPDTM) concluded the meeting by emphasizing:
  - The IP Office remains open to diverse stakeholder perspectives.
  - A collaborative approach is essential to build effective and future-ready CRI guidelines.