

Government of Rajasthan
RAJASTHAN STATE POLICY ON
INTELLECTUAL PROPERTY RIGHTS
2021-2026

Department of Science and Technology

Background:

Creativity and Innovation have been engines of growth of economy and development of society of the country as well as the states. Abundant creativity and innovative ideas occur in various sections of the society. Before going into the contents of the Policy of Intellectual Property Rights, one needs to familiarize with the basic terms which are often used in the text of the Policy.

Intellectual Property refers to creation of mind, inventions, artistic and literary works, symbols, names, images used for various purposes. Any original thought or an idea which has transformed into a creative work such as literature, music or an invention, etc. can thus be referred to as 'Intellectual Property' or IP. The legal rights of a person or an entity to protect its intellectual work from being misused or exploited are broadly termed as 'Intellectual Property Rights' or IPR.

Basic terms which come often in the text of the policy and their meaning are as below.

- **Patent** is a statutory right granted to a Patentee relating to his invention, which is in the form of a product or process or both, if it fulfils the criteria of being new, not obvious to an expert in the technology area, and has a utility or application. For example, any technological invention. In India, it is governed by Patents Act, 1970.
- **Trademark** is described as a "common law right", whereas in fact it is a statutory right granted under the Trade Marks Act, 1999. Trademark has been expressly defined under Section 2 (zb) of the act, as meaning "a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include shape of goods, their packaging and combination of colours. It is suggested that the aforesaid definition may be included in the Policy in place of the definition mentioned in the Policy.

- **Copyright** is the protection given to the creators of literary, artistic, dramatic and musical works to exclusively use their original work for a period of lifetime of the author plus 60 years from the death of the author, and to cinematograph films and sound recordings for a period of 60 years from date of its publication. It also includes protection given to broadcasting organizations in respect of their broadcasts for a period of 25 years and exclusive rights to performers in respect of their visual or acoustic live performances for a period of 50 years, from the beginning of the calendar year next following the year in which the broadcast or performance was made. For example, rights over musical compositions, novels, paintings etc. It is governed by Copyright Act, 1957.
- **Design Registration** is a legal right to protect a new and innovative design for an existing product. It provides protection to the visual and aesthetic aspect of a product. For example, unique shape of a phone or car. It is governed by Designs Act, 2000.
- **Geographical Indication** is a legal right granted to safeguard a product originating from a particular geographical location which identifies such goods as agriculture goods, natural goods or manufactured goods as originating, manufactured or processed in that territory or country, having an essentially attributable quality, reputation or other characteristic of that territory. Also "Lucknow Chikan" may be re-written as "Lucknow Chikankari". as the latter is the correct name of the said GI.
- As per the definition provided by World Intellectual Property Organization, **Traditional Knowledge** is the knowledge, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. In India, a traditional knowledge database is maintained known as Traditional Knowledge Digital library (TKDL). The project aims to document ancient knowledge and customary practices existing in the public domain such as Ayurveda, Unani, Siddha and Yoga.

- **Trade Secret** means valuable information which is highly confidential in nature and gives its possessor a competitive trade advantage, as long as it is kept secret. The best example of Trade Secret is the manufacturing process of Coca Cola, which is kept a secret till date! In India, we do not have a Trade Secret Act. Both know-how and trade secrets are largely covered by contracts which in turn are governed by the Indian Contract Act 1872. It is prudent to enter into a contract called Non-Disclosure Agreement (NDA), also known as Confidential Disclosure Agreement (CDA) with an employee, consultant, or service provider to protect these types of IP.
- India has introduced a sui generis law- the **Protection of Plant Variety and Farmers Rights Act, (PPV&FRA)** in 2001. The legislation recognizes the contributions of both commercial plant breeders and farmers in plant breeding activity and also supports the specific socio-economic interests of all the stakeholders including private, public sectors and research institutions, as well as resource-constrained farmers.
- The National Biodiversity Authority (NBA) was established in 2003 to implement **India's Biological Diversity Act (2002)**. The State Biodiversity Board (SBBs) focuses on advising the State Government, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources.

Need for IP Protection

Government of India has declared 2010-2020 as the 'Decade of Innovation'. Similarly, the National Intellectual Property Rights Policy 2016, has laid down a vision for a "Creative India, Innovative India". However, the more promising the idea, the higher chances of the same being unlawfully imitated. Safeguarding an innovative idea until it is transformed into a marketable intellectual asset is of utmost importance.

Safeguarding and rewarding intellectual work encourages and motivates creativity and innovation in the society. It provides a safe and secure environment where the

creator does not fear that his idea may be copied or imitated, without giving him due credit. It also provides him with the opportunity to enjoy the fruits of his labor. In other words, innovation and creativity lead to a holistic development of society.

Framing laws regarding protection and laying down the enforcement mechanisms of IPR, falls in the domain of the Central Government. However, the enforcement is through the agencies of the State. This necessitates proactive initiatives by the State Governments in the realm of IP Management. The State Government of Rajasthan intends to consolidate the strategies and achievements made so far, by providing adequate infrastructural support coupled with improved facilitation mechanism.

India outlook:

The holistic growth of a country depends on economic expansion as well as social development. One of the essential factors required is generation of Intellectual Property (IP), supported by a nurturing environment provided by the government of a country. Even though Intellectual Property is an intangible right, it is of equal or higher value as compared to other tangible assets.

"The Global Innovation Index (GII) aims to capture the multi-dimensional facets of innovation. The GII report is published annually since 2007 by WIPO in association with Cornell University, INSEAD and CII. Over the years, there has been a significant improvement in India's rank in the GII Report. In the recently released GII-2020 Report, India ranks 48th as compared to its 52nd rank in 2019. India is the top-ranked economy in Central and Southern Asia and has now outperformed on innovation relative to its GDP per capita for seven years in a row. India has retained top rank in Information and Communication Technology Service Export for the last five years. India is ranked 3rd in domestic market scale, 13th in Ease of protecting minority investors and 12th in category of graduates in science and engineering."

As per the 2020 World Intellectual Property Organization (WIPO) Report, India is one of the top 10 Patent filing countries. Between 2005 and 2015, India reported average annual growth of 6.5% in numbers of patent applications received. As per the 2016 yearly Patent Cooperation Treaty (PCT) review, the patent offices of India, received the second highest number of PCT applications (687) among the middle-income countries. India is also among the top 10 PCT applicants in the Government and Research Institution sectors.

With more than 600 universities, a chain of R&D and national laboratories, it is envisioned that India will soon emerge as the IP Capital of the World in this decade of Innovation.

Rajasthan outlook:

State of Rajasthan is one of the most innovative and creative States in the world triggering a robust growth for a viable, multi-disciplinary, industrial culture with dedicated industrial and infrastructural policies in place.

It is a gateway to many IP intensive products and services that caters to the needs of the global IP economy and contributes to the GDP of the Nation. State of Rajasthan has also distinguished itself as one of the prominent States for Research and Development activities.

IP Policy for the State of Rajasthan 2021-2026 is a major initiative by the Government of Rajasthan to transform the State into a globally recognized IP hub. This will not only harness creation and protection of Intellectual Property, but also attract foreign investors and entrepreneurs in the State of Rajasthan. Therefore, it is intended to bring out an exclusive policy namely "RAJASTHAN STATE POLICY ON INTELLECTUAL PROPERTY RIGHTS 2021-2026".

It is aimed to help to create a holistic and conducive environment to catalyze the potential of the Intellectual Property of the country, while protecting public interest also. It is intended to take up proactive initiatives by the State Government and other stakeholders in the realm of Intellectual Property

Management to create a strong IP Regime in Rajasthan by establishing an effective Institutional Framework of all the stakeholders. Government of Rajasthan intends to consolidate the achievements made so far, and formulate strategies by providing adequate support, encouragement coupled with improved facilitation mechanism and by offering Fiscal Incentives and Concessions.

Policy measures being taken by State Government in IT, MSME , Biotech sector will get a thrust through a robust IPR regime in Rajasthan with supportive Investment policy RIPS 2019. Rich cultural heritage of Rajasthan demands a hand holding mechanism through which potential in GI's can be harnessed.

1. VISION

To make Rajasthan a hub of Innovation and Creativity, which will facilitate, both Economic and Social Growth, nurture Entrepreneurship and Start-up Ecosystem, promote Science and Technology and further boost both Manufacturing and Service Sectors.

2. MISSION

To foster Creativity and Innovation, promote Entrepreneurship and enhance Socio-economic Growth coupled with cultural development.

To create a strong IP Ecosystem by creating awareness among existing and prosperous entrepreneurs, Startups and thus nurture IP System by facilitating more **IP Awareness and Creation**, IP Commercialization, **IP Enforcement** in the State of Rajasthan.

3. OBJECTIVES

- 3.1. **Awareness of IPRs:** To create public awareness among various sections of society about Economic, Social and Cultural benefits of IPRs. Statewide Programs will be organized to improve awareness of benefits of IPRs. This will build a robust and prosperous Rajasthan, by

creating a conducive environment for IP promotion, creation, development and commercialization.

- 3.2 **Generation of IPRs:** Rajasthan has very Strong Network of Research & Development Organizations, Universities, Large pool of Talent. This system will be facilitated for generation of IPRs by formulating targeted programs.
- 3.3. **Protection of IPRs:** To provide highest standard of IP protection ecosystem which will fulfill the requirements in the Rajasthan State to meet the standards set by international treaties and conventions and is aligned with National Intellectual Property Rights (IPR) Policy.
- 3.4. **Incentives for IPRs:** To create an environment that provides incentive for innovation leading to enhanced Research & Development activities and value capture for the investors.
- 3.5. **Interface between Industry and Academia:** To encourage partnership between industry and academia/other research institutes to generate more IP in the State of Rajasthan.
- 3.6. **Commercialization of IPRs.** To assist owners of IPs to assess the valuation of IP, to connect Investors and IP creators for the purpose of marketing by creating a public platform to engage creators and innovators to potential users, buyers and funding agencies.
- 3.7. **Encourage Foreign Investment:** To promote and facilitate foreign investment for effective and timely technology transfer in the State of Rajasthan.
- 3.8. **Legal Protection:** To create awareness about the Legal Framework of IPR Laws among different sections of the society, entrepreneurs,

investors, star-ups to create a balance between interests of Rights of the owners and the Public Interest at large.

3.9. Development of Human Resources: To organize different modules of Training and Awareness Programs to develop and expand human resources, institutions and capacities for teaching, training, research and skill buildings in IPRs.

3.10. Use of Biological / Genetic Resources and Traditional Knowledge (TK).
To utilize available IP instruments for sustainable use of Rajasthan's Biological / Genetic Resources and Traditional Knowledge (TK).

4. POLICY MEASURES:

- 4.1. Constitution of State Level Monitoring Committee.
- 4.2. Establishment of Rajasthan State Intellectual Property Council (RSIPC).
- 4.3. Formation of Working Groups for various components.
- 4.4. Development of an Online IP Portal.
- 4.5. Establish IP Cells and Technology Transfer Offices (TTO) at Educational Institutions and Universities.
- 4.6. Setting up of Regional IP Hubs for MSMEs and Start-ups in Trade Bodies and Associations.
- 4.7. Nomination of Nodal Agency
- 4.8. Introduce schemes to provide Fiscal Incentives and Concessions.
- 4.9. IP Commercialization and Showcase events.

4.10 Enforcements of IPRs

4.11 Facilitation of Registration of IP

4.1. Constitution of State Level Monitoring Committee

It is important to ensure a strong and effective review and monitoring mechanism besides taking decisions on the interpretation of the Clauses of the Policy. Hence a Committee may be constituted under the Chairmanship of Chief Secretary, Principal Secretary S&T as Co-Chairman, Government of Rajasthan to monitor the

activities, advise the Working Groups on their activities and programs, take Policy Measures etc.

The Composition of the Review & Monitoring Committee is as below:

1.	Chief Secretary	Chairman
2.	Principal Secretary, S&T Department	Co-Chairman
3.	Commissioner, S&T Department	Member Secretary
4.	Principal Secretary, Higher Education	Member
5.	Principal Secretary, IT	Member
6.	Principal Secretary, Agriculture	Member
7.	Principal Secretary, MSME	Member
8.	Principal Secretary, Tourism, Art & Culture Department	Member
9.	Principal Secretary, Medical, Health & Family Welfare Department	Member
10.	Principal Secretary, Forest & Environment	Member
11.	Secretary and Commissioner, Industries Department	Member
12.	DGP - Criminal Investigation Department, Special Units & Economic Offences	Member
13.	Professional and Expert in IP field from any prestigious company/organisation.	Member
14.	President or his Nominee, CII	Member
15.	President or his Nominee, ASSOCHAM	Member
16.	Representative of DIPP, GoI	Member
17.	Head, TIFAC, DST, GoI	Member
18.	Director, IIT Jodhpur	Member

4.2. Establishment of Rajasthan State Intellectual Property Council (RSIPC)

For effective implementation of the IP Policy, it is required to establish Rajasthan State IP Council (RSIPC) in the State capital, Jaipur, constituted under the Chairmanship of Principal Secretary S&T, Government of Rajasthan.

RSIPC, with the help of stakeholders, will formulate the steps to be taken to promote, strengthen and facilitate the IP Ecosystem existing in the State of Rajasthan.

It also coordinates with the respective departments and Organizations to carry out the objectives of the IPR Policy.

RSIPC shall consist of 15 members selected from different sections of Society like Government, Industry, Academia, Research Institutions, Technical, Agriculture and Management Institutions etc.

The Composition of RSIPC is as below:

1.	Principal Secretary, S&T Department	Chairman
2.	Commissioner, S&T Department	Member Secretary
3.	Secretary, State Innovation Council	Member
4.	Representative of Higher Education Department (Not below the rank of Joint Secretary)	Member
5.	Representative of Agriculture Department (Not below the rank of Joint Secretary)	Member
6.	Representative of MSME Department (Not below the rank of Joint Secretary)	Member
7.	Representative of Industries Department (Not below the rank of Joint Secretary)	Member
8.	Professional and Expert in IP field from any prestigious company/organization	Member
9.	President, CII (or his nominee)	Member
10.	Representative of CIPAM, DIPP, GoI	Member
11.	Nominee of National Law University, Jodhpur	Member
12.	Chairman, Rajasthan State Biodiversity Board	Member

13.	Nominee of NIFD, Jodhpur	Member
14.	Nominee of TIFAC, DST, GoI	Member
15.	OIC, PIC, RAJCOST	Member

4.3. Formation of Working Groups: RSIPC may set up working groups for different domains to facilitate the implementation of various objectives proposed in the IP Policy. The working groups shall consist of 4-6 members who are domain experts.

Initially, it is proposed to set up four groups as follows.

No	Component	Members
1	Patents, Technology advisory.	<ol style="list-style-type: none"> 1. Professional and Expert in IP field from any prestigious company/organization. 2. Nominee of Technology Transfer Office, IIT Chennai 3. Nominee of CGPDTM , DIPP, GoI 4. Nominee of Technology Transfer Office, IIT Bombay 5. Nominee, CIPAM 6. Nominee of Department of Science & Technology, Government of India 7. PD/PO, Department of Science and Technology, Government of Rajasthan
2	Trademarks, Industrial Design, Integrated Circuits, Copyrights etc.	<ol style="list-style-type: none"> 1. Representative of SICLDR, DIPP, GoI 2. Representative of Office of Controller General of Patents, Designs and Trade Marks, DIPP, GoI 3. CIPAM, Nominee 4. Nominee of National Law University, Jodhpur 5. Nominee of NIFD, Jodhpur 6. Nominee of NID, Jaipur 7. PD/PO, Department of Science and Technology, Government of Rajasthan

3	Plant Variety, Bio-diversity, Agriculture & Genetic resources, Geographical Indications, Traditional Knowledge.	<ol style="list-style-type: none"> 1. Nominee of Indian Council for Agricultural Research , New Delhi 2. Nominee of Maharana Pratap University of Agriculture & Technology, Udaipur 3. Representative of National Biodiversity Authority, Chennai 4. Representative of CIPAM, DIPP, GoI 5. Representative of MH&FW, GoR 6. National Law University, Jodhpur 7. Sr. Scientist, CCRUM headquarters, Ministry of AYUSH, Delhi 8. PD/PO, Department of Science and Technology, Government of Rajasthan
4	IP Commercialization, MSMEs and Start Ups.	<ol style="list-style-type: none"> 1. Representative of CIPAM, DIPP, GoI 2. Representative from Startup India, GoI 3. Representative of MSME GoR, 4. Representative of Industries, GoR 5. Representative of DIPP, GoI 6. Nominee of IIT Chennai TTO 7. PD/PO, Department of Science and Technology, Government of Rajasthan

4.4. Development of an online IP Portal

It is proposed to establish an Online Portal and helpline which will provide necessary information about IP to assist and facilitate IP Awareness, IP registration, IP protection and IP commercialization of intellectual assets generated in the State of Rajasthan.

The portal will be an additional source of information, apart from the existing government website (www.ipindia.nic.in), where general information about IP will be provided in a lucid manner for awareness purposes. The portal will further provide IP awareness course material in text, audio and video formats.

The portal will provide basic introductory information about different forms of Intellectual Property in Hindi and English. The portal will consist of several sections pertaining to different types of IP namely, Patents,

Trademarks, Copyrights, Designs, Plant Varieties, Geographical Indications, Traditional Knowledge and Integrated Circuits. The specific sections will also contain links to the respective official websites, namely, www.ipindia.nic.in and www.copyright.gov.in;

The structure of the Portal is as follows:

a. Knowledge Section: It consists of information related to various forms of IP, filings procedures, prosecution procedures, commercialization strategies;

b. Resources Section: This contains sample drafts of IP related agreements, IP magazine, news and updates about latest IP rules;

c. Training Section: It will have videos, step-by-step registration procedures.

d. IP Showcase and commercialization section: In this section Inventors, researchers, startups, universities can upload their IPs (Patents, Trademarks, Copyrights) so that other interested parties can get in touch with IP owner for possible commercialization (licensing, cross-licensing, sales).

e. Networking Section: This section consists of an IP directory which will include contact information of Academic Institutions and Universities (both private and government affiliated), Patent Agents, Trademark Agents, Angel Investors, VC, R&D Institutes (both private and government), Industry bodies, Foreign investors, Startups, Government bodies like RSIPC etc.

The objectives of the portal are to:

- Provide step-by-step guide on registration procedures (both online and offline) of all the different types of IP.
- Provide sample drafts of agreements relevant for IP, Confidentiality Agreements / Non-disclosure Agreement (NDA), Licensing and Assignment Agreements pertaining to each form of IP.
- Provide information on important legal rules and news about IP which is relevant for IP players in the State of Rajasthan.
- Provide a list of Central and State government schemes which provide financial assistance with respect to IP registration.

- Publish a quarterly e-magazine on current status and news related to IP of State of Rajasthan.
- Provide a directory of IP attorneys and Agents in the State of Rajasthan.
- Link various existing and proposed databases hosted by various government bodies in the Centre and State through a single page to facilitate faster search and analysis of available resources, literature and patent search. For example: Indian Patents, Indian Patent Applications, People's Biodiversity Register, PPV&FRA Register, NBPGR, NBFGR etc.
- Provide details on IP based startups in the State of Rajasthan.
- Documentation and data-basing of Traditional Knowledge, Biological / Genetic Resources to conserve and safeguard and also to discourage bio-piracy, plagiarism, misappropriation of such resources.

4.5. Establish IP Cells and Technology Transfer Offices (TTO) at Educational Institutions and Universities

Taking into consideration the need for IP awareness, it is necessary to introduce IP trainings at Universities and educational institutions and also establish IP Cells and TTOs which aims at promoting and facilitating effective technology transfer for benefit of society as well as generating royalty income for the academic institutions.

The steps to be taken by the concerned Working Group are as follow:

- 4.5.1. Identification of the committee members and organize the model/structure of the Management Cells & Technology Transfer Office (TTO) depending on the strength and interest of students and faculty;
- 4.5.2. Prepare a funding scheme for the IP Management Cells & Technology Transfer Office (TTO).
- 4.5.3. Suggest a mandate for the IP Management Cells & Technology Transfer Office (TTO).

- 4.5.4. Assist in developing a network by connecting with other IP Cells and Technology Managers from Industry, Academia, Research and Development Institutions, in both National and international scenario.
- 4.5.5. Assist in preparing modules of recommended activities for a period of 12 to 24 months.
- 4.5.6. Assist in organizing IP awareness sessions/conferences in the campus.
- 4.5.7. Assist in filing and registration of IP generated within the Educational Institutions and Universities.
- 4.5.8. Assist in Commercialization of IPs.
- 4.5.9. To facilitate Transfer of Technology from Academic Institutions to Industry.
- 4.5.10. To Conduct 'Idea-harvesting' and 'Innovation Brainstorming' sessions in R&D departments of companies, government institutions, engineering colleges to identify patentable inventions, promote and encourage patent filings from the State of Rajasthan.

4.6. Setting up of regional IP Promotion and facilitation hubs for SMEs, MSMEs and Start-up companies

For effective implementation of the IP Policy, it is necessary to set up IP Information Promotion and facilitation hubs throughout the State of Rajasthan which will provide IP filing assistance, awareness and training sessions, assist in commercialization and facilitate any other activity related to IP.

The facilitation centres may be set up in collaborations with MSME's, Industry and Trade associations depending on location and objectives. Such associations will assist to create domain centric IP ecosystem.

In absence of a regional IP hub, the nearest IP Cell at the Universities and academic institutions can be treated as nodal centres in different parts of State of Rajasthan. Steps to be followed by the concerned working group are:

- 4.6.1. Identification of the regional hubs where the IP Facilitation Centers can be set up;
- 4.6.2. Identification of Industry and trade associations who shall act as collaborators in setting up the IP regional hubs;
- 4.6.3. Identification of the committee members and organize the model/structure of the Centre based on the strength of workforce;
- 4.6.4. Allocation of funds for the IP Facilitation Centres;
- 4.6.5. Create a list of personnel and internal rules for effective functioning;
- 4.6.6. Assist in developing a network by connecting with the MSMEs and Startups, domain specific industry associations and investors in the respective locations;
- 4.6.7. Assist in preparing a schedule of recommended activities for a period of 12 to 24 months;
- 4.6.8. Assist in organizing IP awareness sessions/conferences;
- 4.6.9. Assist in filing and registration of IP;
- 4.6.10. Assist in commercializing and networking opportunities;
- 4.6.11. Conduct 'Idea-harvesting' and 'Innovation Brainstorming' sessions for SMEs, MSMEs and Startups to identify patentable inventions, promote and encourage patent filing from the State of Rajasthan.

4.7. Nomination of Nodal Agency

Rajasthan Council of S&T (RAJCOST) shall be the Nodal Agency for conducting Capacity Building Programs and implementing all schemes under this policy.

Subject matter experts across various domains shall be consulted while implementing different schemes.

RAJCOST may select other partner nodal agencies in the future and act as a consortium, on the recommendations of RSIPC and Review Committee.

4.8. Introduce IP schemes and provide infrastructural assistance

Financial incentives and infrastructural assistance play a crucial role in nurturing innovation. In this regard RSIPC will assist in developing financial schemes and help in providing infrastructural assistance which will support and aid proper implementation of the policy measures. Proposed schemes are as follow:

4.8.1. Patent/Invention Protection Scheme

The objective of this scheme is to provide financial assistance and consulting to SMEs, MSMEs, universities, institutions and individuals from Rajasthan for filing and prosecution of patent applications before Indian Patent Office.

Expenditure incurred for filing of a Non-Provisional Patent Application will be subsidized to an extent of 75% not exceeding Rs 1.00 Lakh for each application.

The details of this scheme are available in Annexure 1.

4.8.2. Patent Commercialization Scheme

Under this scheme the State Government encourages participation of SMEs, MSMEs, Startups, Universities, Individuals in National and international trade fairs/exhibitions, IP conventions, cross border study, market research to help them to promote innovations for commercialization and for joint venture partnership.

Participation in such promotional events would provide innovators with a platform to explore potential opportunities to establish joint ventures, technology transfers, marketing and enhancing the credibility and branding for startups.

Participation of Trade and Industry bodies in the State of Rajasthan to aid successful partnership between private and public sectors.

The details of this scheme are available in Annexure 2.

4.8.3. GI Protection Scheme

This scheme aims to provide financial assistance for identification and protection of new GIs and to revitalize and support underperforming GIs of the State.

Efforts will also be made for encouraging authorized GI producers for uses and promotion of the logo and slogan of Geographical Indication of India (logo as mentioned in Annexure 3 (A)). This will increase the global reach, recognition and visibility of all GIs and to leverage the entire GI campaign.

Details of the scheme is provided under Annexure 3 (A) and the list of Geographical Indications in Rajasthan is provided under Annexure 3 (B).

4.8.4. Efforts will also be made for providing benefits under the existing schemes of GoI such as "Scheme for facilitating Start-ups Intellectual Property Protection (SIPP Scheme) " and others as applicable from time to time.

4.9. IP COMMERCIALIZATION AND SHOWCASE EVENT

To harness and recognize the breakthrough in technology and innovation, an Annual IP Commercialization and Showcase Event shall be organized every year in Rajasthan to highlight the achievements of the innovators and to bring together all IP stakeholders for networking purposes. The event shall also act as a platform to display the GIs produced in the State of Rajasthan.

In addition, smaller IP events may be conducted to give recognition and highlight the achievements of the innovators in the State of Rajasthan.

4.10. Enforcements of IPRs

Effective enforcement mechanism is sine-qua non to enjoy the rights granted for an Intellectual Property. It is thus imperative to take effective measures to ensure strengthening of the enforcement eco-system in the State of Rajasthan. In this regard, following steps will be undertaken:

- i. Capacity building of the enforcement agencies shall be undertaken on regular basis. Workshops/training sessions shall be organised for the police officials at all levels on IPRs.
- ii. IPRs shall be made part of the training course of police officials. Special courses shall be organised on IPRs for in-service police officials.
- iii. A specific IPR cell on lines of cyber cell will be established in the police department. IPR cell will act as a single point contact for all issues related to the enforcement of IPRs in the state.
- iv. IPR cell will take measures to combat copyright piracy and trademark counterfeiting in the State. IPR cell in collaboration with the cyber cell to do continuous monitoring of rogue websites hosting copyright pirated works. Technical solutions to be developed to tackle with the issue of online piracy and trademark counterfeiting.
- v. Judicial officials in the state will be sensitized on the Intellectual Property Rights with support of Hon'ble High Court of Rajasthan, National Judicial Academy and the Cell for IPR Promotion and Management.

4.11. Facilitation of Registration of IP

Benefits available under Patent Information Center(PIC)/ Technology & Innovation Support Center(TISC)/ Intellectual Property Facilitation Center(IPFC) scheme will be provided to IP stake holders.

ANNEXURE 1

Patent/Invention Protection Scheme**

(Reference to Policy Measure 4.8.1)

1. Objective

The objective of this scheme is to provide financial assistance and consulting to SMEs, MSMEs, universities, institutions and individuals from Rajasthan for filing and prosecution of patent applications before Indian Patent Office.

Expenditure incurred for filing of a Patent Application will be subsidized to an extent of 75% not exceeding Rs 1.00 Lakh for each application.

2. Eligibility Criteria:

- 2.1. In case of SME, MSME, academic institution and university, the applicant should be registered in the State of Rajasthan.
- 2.2. In case of an individual, the applicant should have his principal place of business in the State of Rajasthan.
- 2.3. In case of a startup company registered in Rajasthan, reimbursement shall be provided in accordance with Rajasthan Startup Policy.

3. Acceptance Criteria:

- 3.1. Only Non-provisional domestic patent applications, PCT International phase applications, PCT National phase (only in India) applications that have been filed by an applicant within validity of this Policy will be eligible to claim this reimbursement.

- 7.2 The applicant should have already filed or been granted a patent with the concerned authority. The applicant should have paid the mandatory government fees/attorney fees in this regard.

4. Extent of Financial Support

- 4.1. Reimbursement will only be applicable to expenditures incurred from the date of acceptance of complete application by Government of Rajasthan, subject to approval of competent authority and will be limited to an extent of 75% not exceeding Rs 1.00 Lakh for each application.
- 4.2. The reimbursement will include expenses incurred in filing and processing of domestic applications, PCT International Phase applications and National Phase application (only India) filed in respect of same invention.
- 4.3. The expenses qualifying for reimbursement under the scheme would include official fees including filing, examination, processing fees, attorney charges, expenses on international search and cost towards translation if required.
- 4.4. Reimbursement of expenses incurred will be in installments and against the invoices produced by the applicant.
- 4.5. The expenses incurred subsequent to grant of patent will not be reimbursable.

5. Process of Reimbursement

- 5.1. The applicants are suggested to give complete details in the prescribed format. The application will be accepted only if it complies

with the eligibility and acceptance criteria as per requirements for consideration of support under this scheme.

- 5.2. The submitted applications will then be scrutinized in-house and will then be put-up for recommendation to an expert group constituted for this purpose.
- 5.3. Applicants are expected to present the invention to the expert group for consideration. The recommended applications will then be processed for approval.
- 5.4. Bills/invoices in original as provided by the patent attorney firm and a proof of actual payment made needs to be provided for initiation of the reimbursement process.

6. How to Apply

Applicants desirous of applying under the scheme need to fill up the form online available at the online IP portal of government of Rajasthan.

**** Detailed Operational Guidelines shall be issued later.**

ANNEXURE 2**

Patent Commercialization Scheme (with reference to Policy Measure 4.8.2)

1. Objective

Under this scheme the State Government provides expert consultation with respect to commercialization and marketing of inventions generated in Rajasthan.

It further encourages participation of SMEs, MSMEs, Startups, Universities, Individuals in National and international trade fairs/exhibitions, IP conventions, cross border study, market research to help them to promote innovations for commercialization and for joint venture partnership. It will also facilitate invitation of delegation from global IP generation companies to enable interaction with the SMEs, MSMEs, Startups, Universities, Individuals and other stake holders in the State of Rajasthan.

2. Eligibility Criteria:

2.1. In case of SME, MSME, Start-up companies, academic institution and university, the applicant should be registered in the State of Rajasthan.

2.2. In case of an individual, entrepreneur, researcher the applicant should have his principal place of business in the State of Rajasthan.

3. Acceptance Criteria

3.1. Only patents that have been filed by an applicant within validity of this Policy will be eligible to claim this reimbursement.

3.2 The applicant should have already filed or been granted a patent with the concerned authority. The applicant should have paid the mandatory government fees/attorney fees in this regard.

4. Process

4.1. Applicant shall fill up the online form available on the IP portal of the State of Rajasthan and provide the following information;

4.1.1. Detailed analysis of the invention which can be commercialized by licensing;

4.1.2. Need of the invention in the industry and how it will solve an existing problem;

4.1.3. List of organizations which will be benefitted by using the invention

4.2. The applicants are suggested to give complete details in the prescribed format. The application will be accepted only if it complies with the eligibility and acceptance criteria as per requirements for consideration of support under this scheme.

4.3. The submitted applications will then be scrutinized in-house and will then be put-up for recommendation to an expert group constituted for this purpose.

4.4. Applicants are expected to present the invention to the expert group for consideration. The recommended applications will then be processed for approval based on the strength and license model of the invention.

4.5. Once approved, the applicant shall be provided support by the expert group on how to commercialize and market the invention.

5. Extent of Support

5.1. Support shall be provided to selected applicants in the form of consultation by domain experts.

5.2. The expert group shall assist the applicant by:

5.2.1. Preparing a detailed commercialization and market plan;

5.2.2. Connecting to relevant industry associations and stakeholders;

** Detailed Operational Guidelines shall be issued later.

*** For the first year, support in the form of consultancy shall be provided by respective IP hubs and Cells. Based on the popularity of the scheme and the need, provision for financial support for commercialization and marketing activities shall be introduced after a period of 1 year.

ANNEXURE 3 (A)**

Geographical Indication Protection Scheme (with reference to Policy Measure 4.6.3)

This scheme, aims to provide financial assistance for identification and protection of new GIs and to revitalize and support underperforming GIs of the State. Under this Scheme, INR 0.50 Lakh shall be provided for facilitation/registration of potential GIs generated in Rajasthan. Other measures to be taken under this scheme are as follow:

A. Developing a Logo/Design

The logo/design strip would contain the following: -

- The State Government Emblem to indicate State of origin.
- The Central Government Emblem to indicate the country of origin as well the registering authority.
- The symbol of the product with the place name (popular geographical area name) with G.I Registration Number.
- The hologram to have multiple colour coded security printing, incorporating five to six securities which may be printed in Security Press to ensure that they are not copied.
- The distribution of hologram with some basic costs would be taken up by G.I. Cell.
- The Association/Representative body of the particular G.I item should be given the responsibility to issue the same to genuine members, to protect their interest.
- By stamping it on each product the sample emblem would be as follows:-

GOVT OF Rajasthan	G.I.NO.....	GOVT. OF INDIA
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B. Organize GI Awareness campaigns to acquaint the producers about the G.I. Act, Rules and the Protection laws existing to protect the G.I producers as well as the consumers;

C. Assist in developing and maintaining a GI register which will store relevant information about the producers. This has a direct effect on the authenticity and genuineness of G.I items. This register needs to be updated in regular intervals to ensure addition and deletion of producers as and when the situation arises.

D. Initiation of mechanisms to revitalize and support underperforming GIs of the State.

E. GI Logo released by Department for Promotion of Industry and Internal Trade GoI



****Detailed Operational Guidelines shall be issued later.**