

RightsCon Toronto

Cheap and Chipper: IP in India’s Affordable Mobile Phones

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Pervasive Technologies Project

Centre for Internet and Society, India

Patent Working Requirements and Complex Products

By Jorge L. Contreras, Rohini Lakshané, Paxton M. Lewis | Paper available at <https://bit.ly/2w7CgmN>

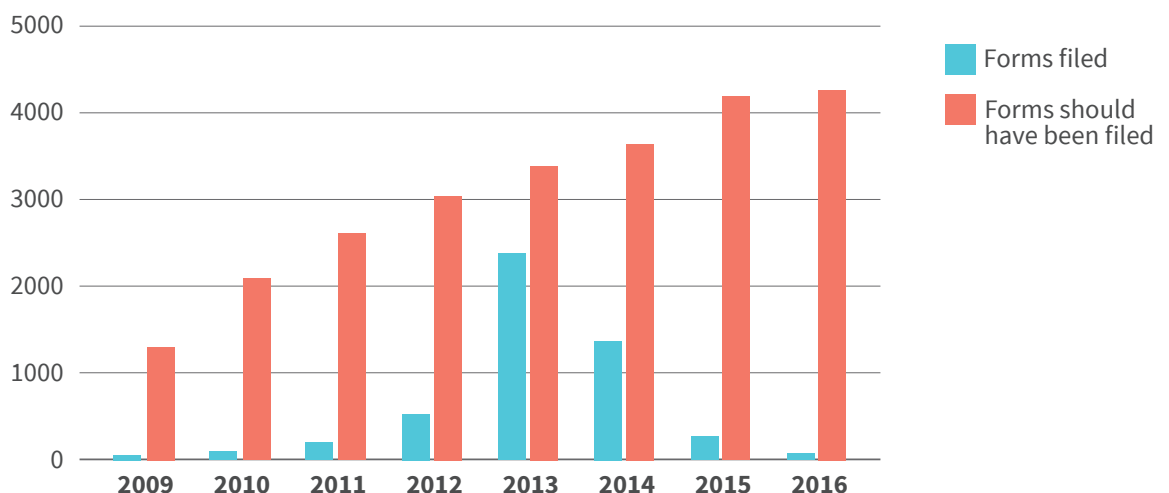
Patent working requirements act as a check on the monopoly power of the patent holder by requiring them to use the patent in the locally. In India, the patent working requirement is carried out through Form 27 - an actual form that needs to be submitted every year to signify the working of the patent. This paper presents a detailed case study of the patent landscape pertaining to mobile device technology with respect to patent working. When Indian patent statute requires all patent holders to file a statement of working, it is necessary to see how far this is complied with and how this measures public accountability. The study examined 4,419 Indian patents over 40 companies, issued between 2000 and 2015 in the mobile device sector. The results of the study can be analyzed through the figures below.

Comparison of Working Status Descriptions

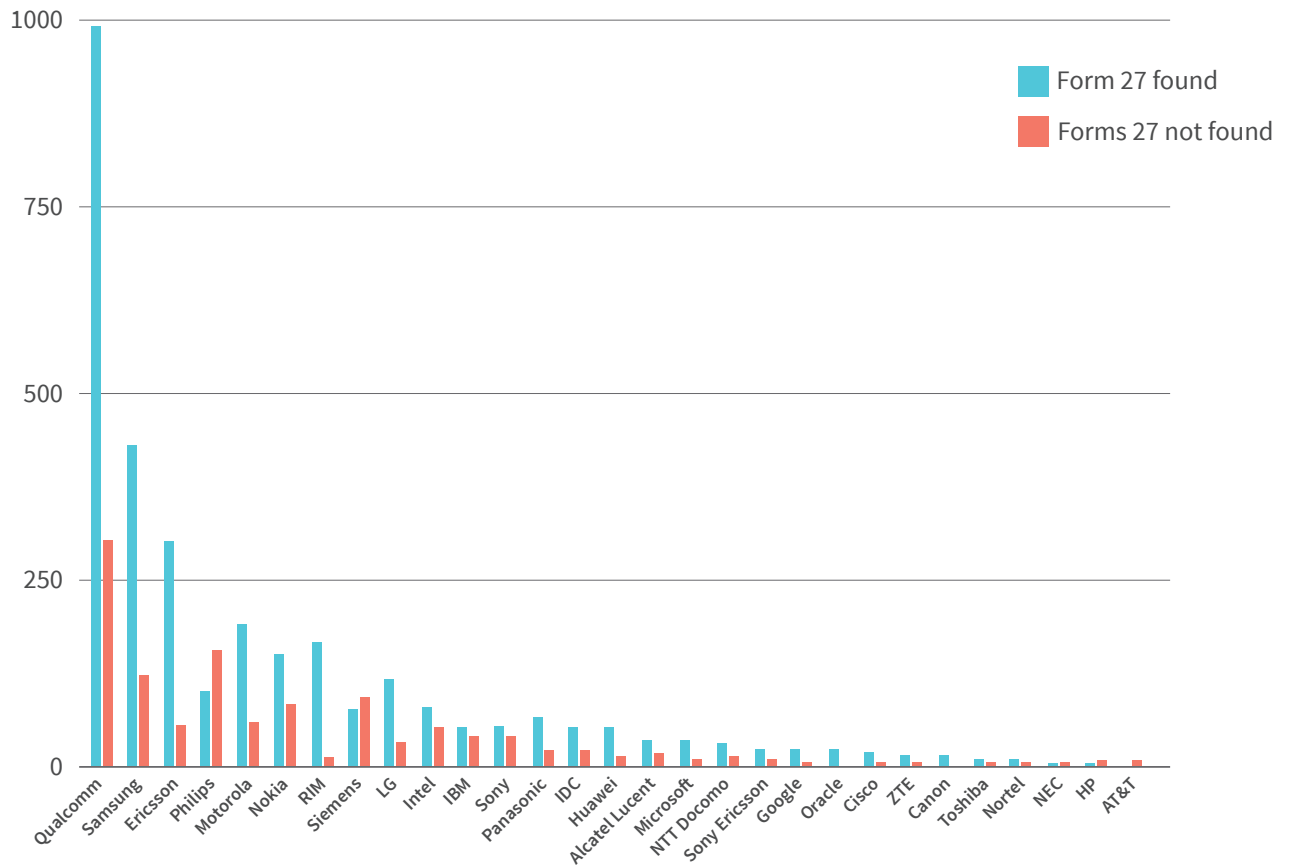
| Filing Year | Working Status IN248764 | Working Status IN247934 | Description |
|-------------|-------------------------|-------------------------|--|
| 2011 | Worked | Worked | The patentee is in the lookout for appropriate working opportunities in a large scale although there may have been some use of the patented technology in conjunction with other patented technologies. [Text A] |
| 2013 | Not Worked | Worked | This patent appears to be worked along with a bunch of connected patents and we are not having any specific data of exact working at this point of time. [Text B] |
| 2014 | Worked | Not Worked | The patentee is in the lookout for appropriate working opportunities in a large scale although there may have been some use of the patented technology in conjunction with other patented technologies. [Text A] |

Actual vs. Required Form 27 Filings, by Year

based on number of mobile device patents in force



Forms 27 (Identified and Missing) Per Assignee



Working Status, by Assignee

