Blockchain Technologies and IP Law

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Main Focus Area

- A Brief About Blockchain Technology
- Major IT Initiatives and Achievements in Indian IP System
- Potential Fields Where Blockchain Technology Can Be Used in IP System
- Challenges and Road Ahead
ERA OF DISRUPTIVE TECHNOLOGIES

INTELLECTUAL PROPERTY INDIA

Artificial Intelligence (AI)

Blockchain Technology

Internet of Things

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BLOCKCHAIN TECHNOLOGY AND IP LAWS
Peer-to-peer network based **Public, Trusted and federated ledger**;

**Shared decentralized ledger:** no single entity controls it, # maintained by participants.

**Tamperproof:** information put in to the blockchain cannot be tampered without being noticed

**Multi-dimensional use:** Technically any kind of data can be put in to the ledger be it crypto currency, transactional, contractual, design etc.

**Immutability /Traceability**

**No third party intervention**
IP protects Block chain Technology

Block chain Technology shapes IP
“Disruptive technologies such as Block-chain and the Internet of Things, will have a profound impact in the way we live and work. They will require rapid adaptation in our workplaces”: Shri Narendra Modi, Hon’ble Prime Minister

The National Association of Software and Services Companies (NASSCOM) signed an MoU on 21st February 2018 with Blockchain Research Institute (BRI), Canada. The MoU will see both NASSCOM and BRI, co-investing to boost the activities and develop skill sets for blockchain adoption and deployment in India.

KERALA BLOCKCHAIN ACADEMY established:
- To nurture a new breed of high quality professionals in Blockchain Technology.
- To act as a platform enabling international research/industry collaborations.
- To serve as a collaborative ecosystem for solving socially relevant problems.
- To provide a nurturing ground for entrepreneurs and new business development initiatives.

INTELLECTUAL PROPERTY INDIA

- 2003 - Launch of Electronic Front Office Module
- 2006 - Implementation of Version-2 Electronic modules for receiving Patent applications
- 2007 - e-Examination started as pilot project at IPO Delhi # e-filing started for patent and trademark applications
- 2013 - India as ISA/IPEA becomes operational

2014:
- Paperless examination
- Stock and flow: Real Time Comprehensive Information Dissemination System on patent processing launched
- Comprehensive payment gateway integrated with e-filing module on 24X7 hrs basis

2015:
- Paperless examination extended in other examination divisions at IPO Delhi
- Cross location examination of Patent applications among 4 Patent Office
- Unique Numbering system of Patent Applications and Request for Examinations
- 2016 - Auto-allotment of Patent applications across all four offices

2017:
- 100% Electronic communication of all Reports/Certificates through email.
- 100% e-filing for Patent Agents

2018:
- Integration of
  - WIPO CASE
  - WIPO DAS
- Migration of Patent, Designs, Trademark & GI database and applications to Cloud
PATENT APPLICATIONS RELATING TO BLOCK CHAIN TECHNOLOGY AT INDIAN PATENT OFFICE

INTELLECTUAL PROPERTY INDIA
Features of Blockchain making it useful for IP regime:

- Reliability,
- Trust,
- Security,
- Efficiency

Record Keeping/ Ledger Maintenance

Data verification, and

Transmission of data on blockchain

Blockchain: An efficient tool to be used in entire life cycle of IP rights ranging from conception to registration and later till end of the term of IP rights including management and enforcement of these IP rights.
Pre-Registration:
- Evidence of First Inventorship (Patents)/ creatorship (Copyright)/ first use in trade (Trademarks)
- Synchronised Search databases
- Collaboration between IP offices of the world during examination
- Immutable Prosecution History
- Collaboration with WIPO (especially while working as ISA/IPEA and/or RO)

Post-Registration:
- Audit Trail - Authentication, Registration, Transfer and Removal
- Detection and Prevention of Counterfeits – tracking and detecting IPR violations like fake goods, parallel imports etc. and providing evidence of genuineness
- IP Rights Management - establishing and enforcing IP agreements, licensing, distribution through smart contracts and payments in real-time
- Better enforcement mechanism - through authorities like customs, excise and judiciary having access to trusted, traceable and immutable ledger
Blockchain Technology and IP Laws

Blockchain enabled IP Rights
Blockchain Challenges

Data Privacy

Data Security

Governing Laws/Regulations

Jurisdictional issues

INTELLECTUAL PROPERTY INDIA
THANKS!