



THE PATENTS RULES, 2003

Rule 12

Statement and undertaking regarding foreign applications

- (1) The statement and undertaking required to be filed by an applicant for a patent under sub-section (1) of section 8 shall be made in Form 3.
- (1A) The period within which the applicant shall file the statement and undertaking under sub-section (1) of section 8 shall be six months from the date of filing the application.
- Explanation.**--For the purpose of this rule, the period of six months in case of an application corresponding to an international application in which India is designated shall be reckoned from the actual date on which the corresponding application is filed in India.
- (2) The time within which the applicant for a patent shall keep the Controller informed of the details in respect of other applications filed in any country in the undertaking to be given by him under clause (b) of sub-section (1) of section 8 shall be three months from the date of issuance of first statement of objections under sub-rule (3) of rule 24B or sub-rule (8) of rule 24C.
- (3) The Controller may, use accessible and available databases, for considering the information relating to applications filed in a country outside India.
- (4) The Controller may, under sub-section (2) of section 8, for reasons to be recorded in writing, direct the applicant to furnish a fresh statement and undertaking in Form 3 within two months from the date of such communication by the Controller.
- (5) Notwithstanding anything contained in these rules, the Controller may condone the delay or extend the time for filing Form 3 for a period up to three months upon a request made in Form 4.

[<<previous](#)

[next>>](#)