

वाणिज्य एवं उद्योग मन्त्रालय / Ministry of Commerce & Industry  
उद्योग संवर्धन एवं आंतरिक व्यापार विभाग / Department for Promotion of Industry and Internal Trade  
( आई.पी.आर-1 अनुभाग / IPR - I Section )

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उद्योग भवन, नई दिल्ली -110 011  
Udyog Bhavan, New Delhi -110 011  
दिनांक: 15th नवम्बर, 2019

To,

M/s Gopakumar Nair Associates,  
Patent and Trademark attorneys,  
Shivmangal, 3<sup>rd</sup> Floor, Near Big bazar,  
Akurli Road, Kandivli (East),  
Mumbai - 400 101.

Sir,

I am directed to refer to your public grievance dated 09.10.2019 bearing registration number PMOPG/D/2019/0379360 regarding appointment of Chairman, Vice-Chairman and Technical Members in Intellectual Property Appellate Board (IPAB), Chennai & regarding the location and website of IPAB and to say the concern raised by yourself has been taken note in this Department.

2. On the basis of queries raised in the said grievance vis-à-vis information available in this Department, information is furnished below:

Sl. No	Grievance raised/ suggestion given by applicant	Reply on the basis of DPIIT
1	urgent steps to appoint Chairman, Vice-Chairman and Technical Members of IPAB should be taken to make IPAB functional at the earliest.	<p><b>Steps taken to fill the post of Chairman IPAB:</b></p> <p>Section 85 (6) of the Trade Marks Act, 1999 provides that "No appointment of a person as the Chairperson shall be made except after consultation with the Chief Justice of India."</p> <p>Hon'ble Justice (Retd.) Manmohan Singh, vacated the office of Chairperson IPAB on 21.09.2019 on attaining the age of superannuation. In anticipation of the vacancy, a request had been made to the Secretary General, Supreme Court of India vide letter dated 04.04.2019 seeking the recommendations of Hon'ble Chief Justice of India for nominating a suitable person for appointment as the Chairperson IPAB. A reminder has been sent on 16.07.2019. Thereafter the Secretary General, Supreme Court of India has again been requested vide DO letters dated 09.09.2019 and 18.10.2019.</p>

		<p><u>Steps taken to fill the post of Vice-Chairman IPAB:</u></p> <p>The matter for appointment of Vice-Chairman IPAB was referred to Department of Legal Affairs seeking comments. The Department of Legal Affairs suggested to advertise the post in view of Article 14 and Article 16 of the Constitution of India. The post has been advertised in 19.10.2019 edition of Employment news.</p> <p><u>Steps taken to fill the post of Technical Members IPAB:</u></p> <p>The vacancies were advertised on 28.07.2018 to 03.08.2018 edition of the Employment News. The Department has, in response to the said advertisement, received a number of applications to the vacant posts. The Search-cum-Selection Committee (SCSC) constituted for the appointments has conducted the interviews on 31.08.2019. The recommendations of SCSC are under consideration with the Competent Authority.</p>
2.	IPAB should have a new operational website, the current website of IPAB has become non functional.	The National Informatics Centre (NIC) has already started to develop new website of IPAB. The domain name has also been re-registered.
3.	The IPAB should have been located (Headquarters) at Delhi or Mumbai, instead of Chennai.	The suggestion has been noted.

Yours faithfully,



( Rajesh Ranjan)

Under Secretary to the Govt. of India

Tel No. 2306 3651

Copy to :

PR&C Section, DPIIT w.r.t. PMOPG/D/2019/0379360 dated 09.10.2019.