To

Office of Controller General Patents, Designs & Trade Marks

Boudhik Sampada Bhawan, Plot No. 32, Sector 14,

Dwarka, New Delhi-110078.

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Subject: *Comments on the Draft Guidelines for Examination of Patent Applications in the Field of Pharmaceuticals (2026).*

This submission presents a general comment on the "Draft Guidelines for Examination of Patent Applications in the Field of Pharmaceuticals (2026)" released by the Office of Controller General Patents, Designs & Trade Marks, Ministry of Commerce & Industries, Government of India.

An open call for submissions was made on September 4, 2026. This submission is being made by Ambika Aggarwal[1] and Praharsh Gour[2], on September 9, 2026 and is within the stipulated deadline of 15 days from the date of publication.

This submission is confined to a 'general' comment. This is owing to the specific and significant concern that a timeline of merely 15 days is not sufficient to formulate 'specific' comments, particularly when this subject-matter requires a substantive and detailed analysis. We understand that the content of the Draft Guidelines is intended to have legal and practical implications and, thus, should be given the time for serious and prolonged deliberations.

The Pharmaceutical Guidelines presently in force were formulated in 2014. The proposed draft of the new Guidelines itself admits, and rightly so, that in the intervening period of one decade significant jurisprudential developments have taken place in the area of pharmaceutical patents. Two weeks of review period for the updates that have occurred cumulatively over the course of twelve years is clearly inadequate.

Surely "the pharmacy of the world" must not rush in such an abstract manner to change its patent examination rules; especially, when the updates relate to *all* substantive criteria of patentability and disclosure. The Patent Office admits to its responsibility of avoiding "bad patents (as) a burden to society." For future pharmaceutical patents to not be "bad patents", these Guidelines deserve proper time and attention which cannot be meaningfully given to the proposed draft in 15 days.

We recommend, strongly and humbly, that the consultation period be suitably extended to give interested stakeholders a reasonable submission timeline. We respectfully submit that the deadline be extended to at least 60 days.

[1] Ambika Aggarwal is a PhD Scholar (IP Law), UGC-NET Junior Research Fellow at NALSAR University of Law, Hyderabad.

[2] Praharsh Gour is a lawyer and IP policy researcher.