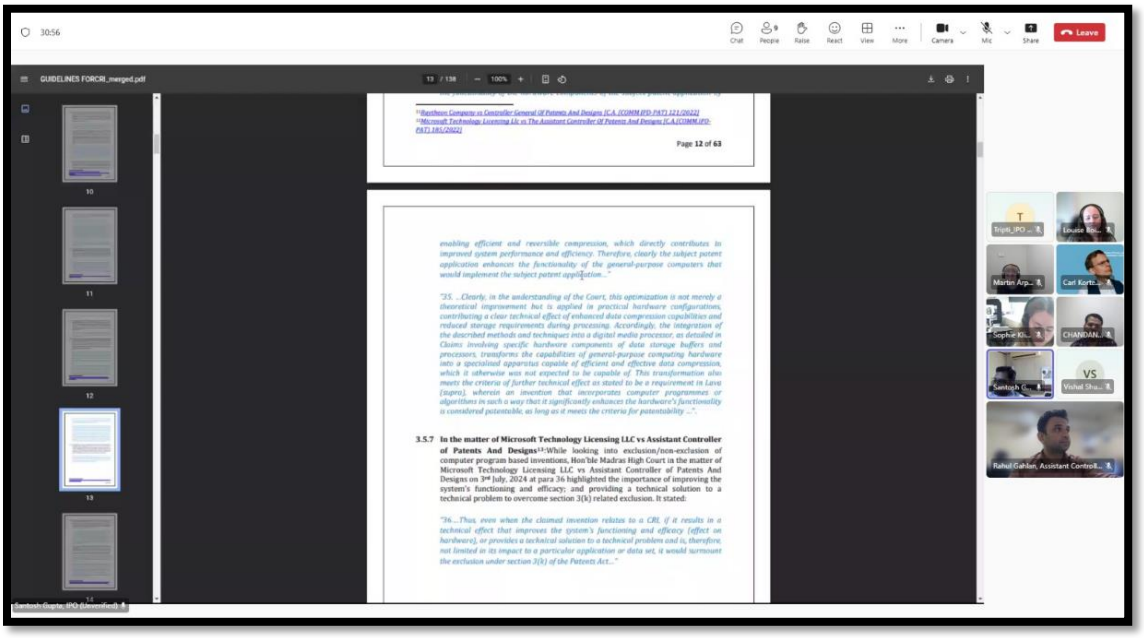
Report on Patent Information Exchange Session on Computer-Related Inventions (CRI/CII)

The session commenced with the introduction of officials from the Office of the Controller General of Patents, Designs and Trade Marks (O/o CGPDTM) and the Danish Patent and Trademark Office (DKPTO). The opening remarks highlighted the importance of bilateral collaboration in sharing best practices on examination of Computer-Related Inventions (CRI), while emphasizing the mutual learning opportunities such sessions develop.

The Indian CRI team presented the recently published CRI Guidelines, elaborating on their comprehensive nature. Key highlights included additional illustrative examples, relevant case laws, and transparency measures embedded in the guideline-making process. Notably, the guidelines incorporated:

- A compilation of comments and feedback received on Draft Version 1.0.
- Outcomes of stakeholder consultations conducted in Mumbai, Delhi, Kolkata, and Chennai.
- A compilation of stakeholder feedback on Draft Version 2.0.

These steps reinforced India's commitment to consultative and transparent policymaking in handling CRIs.



The Danish CRI team shared current practices in examining Computer-Implemented Inventions (CII). Officials explained the "two-hurdle approach":

- Eligibility Check – Assessing claims under Art. 52(2) and (3) EPC.
- Novelty and Inventive Step – Applying the problem-solution approach.

Emphasis was placed on determining technical effect, with two main considerations:

1. Specific technical implementation: Where method steps are adapted to specific computer functions or driven by technical considerations of internal computer operation.
2. Application to a field of technology: Where method steps resolve a technical problem within a technological domain.

Way Forward

Both offices acknowledged the value of continued dialogue in aligning examination practices for CRI/CII. Future collaboration may focus on: Conducting joint workshops on comparative CRI/CII case studies, strengthening examiner-level engagement. Exploring the scope for bilateral capacity-building programs to address emerging challenges posed by AI, blockschain, and other frontier technologies.

The session concluded with a shared recognition that consistent, transparent, and technically sound examination practices would contribute to stronger IP ecosystems in both jurisdictions.