



GOVERNMENT OF KARNATAKA
STARTUP POLICY OPERATIONAL GUIDELINES

1st April 2016

Karnataka Startup-Cell
Karnataka Biotechnology and Information Technology
Services
(KBITS)

Government of Karnataka
4th Floor, 'B' Wing,
BMTc Central Offices Building
Shanthinagar,
Bangalore-560027

Hotline Number: 22231007

Email: startupcell@bangaloreitbt.in

XIII. Patent Reimbursement Incentive For Startups Operational Guidelines

13.1 Eligibility Criteria:

13.1.1 The applicant should be a Startup registered with the Karnataka Startup Cell with a valid Karnataka Startup Cell registration number.

13.1.2 Only patents that have been filed by a startup within validity of this Policy will be eligible to claim this reimbursement.

13.1.3 Patents that are created for a technology based service or product or uses technology ¹ for enhancing functionality or reach of an existing product or service are eligible.

13.1.4 The applicant should have already filed or been granted a patent with the concerned authority. The applicant should have paid the mandatory government fees/attorney fees in this regard.

13.1.5 The Eligible Startups shall submit the application in the prescribed format along with the documents mentioned in the format to the Karnataka Startup Cell as follows:

1. Application for reimbursement Post Filing of Patent:

The applicant to claim reimbursement under this incentive should have already filed the patent for which this reimbursement is claimed. The applicant may claim reimbursement for the Government fees paid to the appropriate authority and for attorney fees in lieu of drafting and consultancy charges as applicable.

¹ Please see Karnataka Startup Policy 2015-2020, Annexure I.

Further, the applicant must fill Form A and B along with Annexure I in the prescribed format, along with submitting the relevant mandatory documentation specified therein. The reimbursement will be in the nature of a one-time payment and the applicant cannot apply under this provision more than once for the same patent application.

2. Application for reimbursement Post Grant of Patent:

The applicant to claim reimbursement under this incentive should have already been granted the patent for which reimbursement is claimed and should have already claimed reimbursement of costs incurred post filing of the patent under clause 14.1.5 (1). The applicant may claim reimbursement for the Government fees paid to the appropriate authority and for attorney fees in lieu of drafting and consultancy charges as applicable. Further, the applicant must fill Form A and C along with Annexure I in the prescribed format, along with submitting the relevant mandatory documentation specified therein. If the applicant has already been reimbursed upto 2 Lakhs (Rupees) for filing of a domestic patent and/or 10 Lakhs (Rupees) for a foreign patent filing as mentioned above, then the applicant will not be eligible for reimbursement under this provision even if the patent has been granted.

3. Application for reimbursement Post Filing and Post Grant of Patent Simultaneously:

The applicant to claim reimbursement under this incentive should have already been granted the patent for which reimbursement is claimed and should not have claimed reimbursement under 14.1.5

(1) and/or 14.1.5 (2) The applicant may claim reimbursement for the Government fees paid to the appropriate authority and for attorney fees in lieu of drafting and consultancy charges as applicable. Further, the applicant must fill Form A B & C along with Annexure I in the prescribed format, along with submitting the relevant mandatory documentation specified therein. The applicant under this provision is eligible to a reimbursement subject to a maximum limit of 2 Lakhs (Rupees) for an Indian patent filing and 10 Lakhs (Rupees) for a foreign filing.

13.2 Mandatory Documents

13.2.1 The following documents must be furnished with the application :

1. KBITS registration No.
2. Duly filled forms as applicable and Annexure I &II
3. Duly filled forms and Annexure –I, II and III if applying through an Empanelled Incubator.
4. A copy of the patent filed at the appropriate authority.
5. Certificate of Patent Grant from Patent Office as applicable.
6. Detailed statement of expenses incurred towards the Patent Registration along with the copies of invoices & receipts from the patent authority and legal counsel as applicable.
7. All Invoices submitted by the appropriate Patent Authority towards Govt. fees and towards legal agents.
8. The certificate of Patent with valid serial number must be furnished and valid form 27 to be enclosed.
9. Reimbursement amount will be released / disbursed on the seniority basis depending upon the **Budget allotment of the State Government.**

13.3 Screening Procedure:

13.3.1 All reimbursements will be made subject to the consideration of the screening procedure mentioned below. The decision of the Managing Director, KBITS in this regard to sanctioning of any reimbursement under this incentive will be final.

13.3.2 On receipt of the complete application the Karnataka Startup Cell shall inspect and verify the contents of the application of the incubated startup. The Nodal Officer Karnataka Startup Cell, on receipt of the required documents, will scrutinize and perform necessary due diligence on the expenses incurred by the applicant. The Startup cell shall recommend the application to the MD, KBITS through the Nodal Officer for sanction the reimbursement of costs incurred towards filing or grant of Patent as the case may be. Those applications that have been so approved will be eligible for re-imburement within 3 months from the receipt of the application.