

**CTIER**

# SEMINAR SERIES

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## Understanding working of patents: Empirical evidence based on India.

**Abstract:** This paper focuses on patents that are commercially worked or not based on novel dataset on working of patents from Indian patent office. The information based on Form 27, mandated by Section-146 of the India patents act, is collated from the patent office website. This information is aligned with patent-level indicators representing ownership, technological complexity, and quality, as well as their influence on the decision of patentees to work or not work the patent. On average, approximately 75% of patents are not in working status, with most of these patents belonging to non-residents. However, if a patent is owned by a resident the marginal probability of working it increases by 17.2%. This result supports the argument that residents are actively using novel technologies. However, non-residents may find it challenging to work a technology away from home as they report prospective reasons for non-working of the patent. Our findings have implications for theory and practice for patent policy in emerging countries like India. We support the use of Form 27 as a tool to recognize commercialization challenges faced by patentees in India and to design relevant policy interventions.