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THE POTENTIAL APPLICABILITY OF ARTIFICIAL INTELLIGENCE AND AUTOMATION IN TRADEMARK PROSECUTION

~ Debdeep Das & Mohar Mitra[*]

ABSTRACT

*The introduction of Artificial Intelligence ("**AI**") and automation has sparked debates about the marvels of alternative consciousness rivalling humans. Though in its nascent stages of development, AI showcases the potential for real-life applications like in the field of trademark prosecution. In recent years, pendency in the Trademark Registry has been growing alarmingly with the prevalence of such pendency in every prosecution stage. To clear such pendency and backlog, the Government of India was pushed to outsource the tasks associated with trademark prosecution. However, it merely provided a temporary and superficial solution for a deep and pervasive issue. This only served to as a temporary measure to keep the actual issue at bay due to short contractual periods, limited time for getting acquainted with the setup, lack of expertise, and scanty opportunity for training. Erroneous and faulty processing of applications led to an increase*

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in turnaround time and eventually decisions taken by the outsourced officials were invalidated by the Calcutta High Court for lack of authority. At this juncture, integration of AI and automation in the prosecution process would prove to be a boon, however, it requires a shift from the Average Consumer Standard to a new AI Standard alongside empirically testing its desirability among stakeholders.

TABLE OF CONTENT

I. INTRODUCTION

The idea of a being replicating the consciousness of the human mind whilst eliminating its shortcomings has been a constant source of ethical discourse and science fiction. However, the meteoric rise in the Information Technology ("**IT**") industry resulted in significant advancements that remarkably blurred the lines between fiction and reality. Though currently in a nascent stage, the concept of AI can be traced back to Hindu scriptures, with explicit mentions of machines capable of producing music and performing human like functions in the Vedas, complex flying machines controlled by the mind in the Mahabharata, the reference of a mechanical man in the writings of Bharata Muni and automated machines capable of calculating complex mathematical problems in Brahmasphutasiddhanta.[1] On the Western hemisphere, Greek mythology mentions the Talos, an automaton forged by Hephaestus with the aid of a cyclops as a gift honouring Minos.[2] However, it was not until the modern era of technology that we can concretely point to the birth of AI, in a manner that is well-documented and usable as evidence. In the 1940s, the idea of AI started to gradually shift from science fiction to reality with the presentation of Warren McCulloch and Walter Pitts' model of

[1] Kathirvel Kumararaja, *Artificial Intelligence in Ancient India*, MEDIUM, (Sep. 04, 2024, 09:51 AM), https://medium.com/@kumararaja/artificial-intelligence-in-ancient-india-a66dbd937286.

[2] Joaquín G. Peiretti, *The Myth of Talos: Science Fiction in Ancient Greece*, MEDIUM, (Sep. 04, 2024, 10:10 AM), https://jgpeiretti.medium.com/the-myth-of-talos-science-fiction-in-ancient-greece-b0a6b55b720f.

artificial neurons in 1943.[3] Subsequently, Alan Turing published an article titled *"Computing Machinery and Intelligence"* proposing the Turing Test for the determination of the intelligence of a machine in comparison to a human being.[4] The term 'Artificial Intelligence' was formally coined by John McCathy in 1956 who was also responsible for the development of LISP, the first AI programming language.[5] Shortly thereafter, Arthur Samuel coined the term Machine Learning ("**ML**"), where he demonstrated the capability of machines through the game of programmed chess, wherein the machine could self-learn and familiarise itself with human opponents, eventually becoming better than the ones who have actually programmed it.[6]

The following decades were dedicated to maturing AI and ML, with chatbots,[7] robots which could undertake tasks deemed too risky for humans,[8] expert systems aimed at replicating human behaviour, autonomous vehicles, etc. The 1980s was the decade which brought AI into the mainstream with massive fund allocation for research on AI by both

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[3] Iberdrola, *History of Artificial Intelligence: Birth, Applications and Future Trends, Iberdrola* (Sep. 01, 2024, 09:51 PM), https://www.iberdrola.com/innovation/history-artificial-intelligence.

[4] A. M. Turing, *Computing Machinery and Intelligence*, 59 MIND, 433 (1950).

[5] V Rajaraman, *John McCarthy – Father of Artificial Intelligence*, 19 Reson 198 (2014).

[6] Arthur Samuel, *Pioneer in Machine Learning*, STANFORD INFOLAB, (Sep. 02, 2024, 10:59 AM) http://infolab.stanford.edu/pub/voy/museum/samuel.html.

[7] The Weather Company, *The Ultimate Guide to Machine-Learning Chatbots and Conversational AI*, THE WEATHER COMPANY, (Sep. 04, 2024, 10:00 AM), https://www.weathercompany.com/blog/the-ultimate-guide-to-machine-learning-chatbots-and-conversational-ai/.

[8] Katharine Gammon, *These Five Robots Do Some Very Dirty Jobs So Humans Don't Have To*, NBC NEWS, (Sep. 04, 2024, 10:00 AM), https://www.nbcnews.com/mach/tech/these-five-robots-do-some-very-dirty-jobs-so-humans-ncna781676.

the Americans and Japanese.[9] Nonetheless, the decade concluded with the AI winter, a phase of low interest and focus on AI. In the 2010s, tech-giants like Meta, Apple, Google, Microsoft and Tesla, started to heavily invest in their AI endeavours, resulting in the rise of Open AI, Google Cloud AI, Azure AI, AWS and many more.

AI is now capable of performing complex tasks like pattern recognition, processing big data, automation, read and comprehend data, and so on and so forth. However, its potential has barely been tapped into.

One such potential is applying AI in the trademark prosecution process. Currently, the Offices of the Controller General of Patents, Designs and Trademarks ("**CGPDTM**") are facing an unprecedented number of pending applications, among whom the trademark registry ranks the highest in terms of such pendency. At this juncture, 112835 cases are pending in the pre-examination stage which is 537% higher than the previous year's pendency of 21011; 337781 cases are pending in the post-examination stage which is 120% of the previous year's pendency of 280118; 242277 cases are pending in the opposition stage which is 133% of the previous year's pendency of 182004; and 40982 cases are pending at the registration stage which is 101% of the last year's pendency of 40424.[10] Additionally, there has been a rise in pendency by approximately 103% and

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[9] *What is the history of artificial intelligence (AI)?*, Tableau (Sep. 04, 2024, 10:00 AM), https://www.tableau.com/data-insights/ai/history.

[10] Office of the Controller General Patents, Designs and Trademarks ("**CGPDTM**"), *Pendency Report for Patents, Trademarks, Designs & Copyright (as on 31-07-2022), (JULY, 2022),* IP INDIA, (Sep. 01, 2024, 12:32 PM), https://www.ipindia.gov.in/writereaddata/Portal/Images/pdf/PENDENCY_REPORT_IN_THE_OFFICE_OF_CGPDTM_31-07-2022.pdf.

161% in the Patents and Designs wings respectively.[11] In order to mitigate the same, the CGPTDM was forced to hire third parties to reduce the backlog, however, the same is not a permanent solution and has been heavily criticised[12] since the registries are heavily understaffed and the outsourcing would take a significant toll on the public exchequer. Further, these third parties are employed through bi-annual contracts, resulting in limited time for training and acclimatisation, often leading to erroneous and/or faulty processing of the applications. The matter of deploying contractual employees in the Trade Mark Registries was brought to the notice of the High Court at Calcutta where the parties aggrieved by the decision of the contractual hearing officers challenged the same. The High Court clarified that the contractual recruits have no authority to pass any decision.[13] The aftermath of this decision lead to the applications being retried and re-evaluated by the registry rendering the exercise of hiring contractual employees redundant.

The gradual incorporation of AI and automation could provide a permanent solution to this crisis, which could aid in every step of trademark prosecution from the perspective of the registry. However, the same would need significant adjustments to the established model of trademark prosecution starting with the revamping of the 'Average Consumer Test' in

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[11] CGPDTM, *Pendency Report for Patents, Trademarks, Designs & Copyright (as on 28-02-2021), (FEB. 2021),* IP INDIA, (Sep. 01, 2024, 12:51 PM), https://ipindia.gov.in/writereaddata/Portal/Images/pdf/Report_on_Pendency_in_IPO_upto_February_2021.pdf.

[12] Visa International Ltd. v Visa International, IDPTMA No. 82 of 2023; Visa International Ltd. v Visa International, IDPTMA No. 83 of 2023; Garden Silk Mills Private Limited Rajesh Mallick & Ors., IPDTMA No. 1 of 2024.

[13] *Id.*

favour of a newly devised AI Test, with logistical changes required in the filing and processing stages, identification and resolution of hurdles raised by the operation of international trademark instruments, stakeholder acceptance and other factors.

II. CONCEPTUAL FRAMEWORK

Before delving further into the discussion, demystification of certain definitions, concepts, and processes is of paramount importance.

A. ARTIFICIAL INTELLIGENCE

In the words of John McCarthy, AI is the "*science of making human intelligence in machines.*" However, due to the abstract nature of the concept, providing an all-inclusive definition of AI is a difficult task, primarily due to the difference in the potential, perceived, and actual capabilities of AI at this current point in time. In the broadest sense AI could be interpreted as the imitation of human behaviour. However, this definition does not take the techno-social landscape into consideration, wherein AI is currently capable of undertaking simple tasks rather than being a replica of the human mind. Nevertheless, stating that AI in its current form is unremarkable or unusable does not do justice to the technology. For understanding what lies beyond 'simple' tasks, definitional clarity on 'complex' tasks first needs to be established. In the words of Nils J Nilsson AI is a technology that *"functions appropriately and with foresight in its*

environment." Thus, another parameter for assessing intelligence identifying abilities to perceive, pursue targets, act and learn.[14]

Further, the definition of intelligence itself has changed over the years. In the 20th century an AI able to play the complex game of chess was regarded as the pinnacle of intelligence due to the inherent link between the game and the corresponding intelligence required to the play the game. However, chess though complex in its own right, is a game with finite possibilities arrived at through calculations, rendering it to be nothing more than a mathematical problem arrived at through complex algorithms. However, current AI are able to identify, interpret and create, functions which far exceed the AI capable of playing chess and which further solidify the argument in favour of techno-social dynamics.

A straitjacket definition of AI is somewhat impossible to put in words since we are dealing with a technology trying to replicate the human consciousness, mind, and intelligence, a concept we are yet to fully understand. However, for the sake of our discussion, we shall restrict AI to a computer programme capable of identifying, interpreting, and creating data from the fed inputs, which is essentially a result of ML. To achieve the same there are several models which could be utilised. Our discussion, shall mainly focus is on ML through Large Language Models ("**LLMs**"), i.e., AI programs capable of recognising and generating text when trained by

[14] *Artificial Intelligence in Nederland: Zelf Aan Het Stuur*, DENK WERK ONLINE (Sep. 04, 2024, 11:00 AM), https://denkwerk.online/media/1029/artiticial_intelligence_in_nederland_juli_2018.pdf .

feeding in large sets of data,[15] and Multi-modal Models ("**MML**"), i.e., AI programs capable of processing text, videos, audios and most importantly images.[16] The gaps in these models are fixed by Retrieval Augmented Generation which utilizes external sources for enhancing the accuracy of the AI.[17]

B. AUTOMATION

Automation, as the term suggests is the conversion of work undertaken by humans to machines. In the context of our discussion, automation would be construed under the context of computer automation, i.e., computer programmes capable for accomplishing tasks which were manually done by humans. This on a standalone basis and when coupled with AI could reap results which are significant quicker than the human counterparts. However, it is pertinent to note that purely automated programmes are not considered to be intelligent and thus shall be only assigned tasks are mechanical but the same shall operate with the least amount of human intervention in terms of its applicability in the trademark registry. Though combinations of AI and automations may prove to be highly effective, at this current juncture we are restricted to Narrow AI, i.e., AI that can only function in delimited tasks, thus, once the AI ventures into operations beyond its bounds, it might produce unpredictable results, necessitating human intervention and verification. The combinations can

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[15] *Large Language Models Explained*, Nvidia, (Sep. 01, 2024, 02:38 PM), https://www.nvidia.com/en-in/glossary/large-language-models/.
[16] *Mutimodal AI*, Cloud Google, (Sep. 02, 2024, 03.00 PM), https://cloud.google.com/use-cases/multimodal-ai.
[17] Rick Merritt, *What Is Retrieval-Augmented Generation, aka RAG?*, NVIDIA, (Sep. 02, 2024, 3:10 PM), https://blogs.nvidia.com/blog/what-is-retrieval-augmented-generation/.

be utilised as AI tools for a function which require setting up ground work or standard forms rather than replicating the decision-making process of human beings since autonomous AI might prove to lack the intellectual maturity of a seasoned professional.

C. THE TRADEMARK PROSECUTION PROCESS

The trademark prosecution process can be broadly divided into four stages. *First*, ("**Stage I**") when an entity, be it an individual, partnership, company or Micro, Small and Medium Enterprises ("**MSME**") is desirous of obtaining a trademark for a word or a logo used in their business, they are required to make application to the trademark registry.[18] This application is made in the TM-A form which is accompanied by supporting documents such as a power of attorney in favour of the trademark agent, an affidavit evidencing prior use,[19] if the mark has been used before registration, a PAN Card and Aadhar Card in case of an individual, partnership agreement and PAN Card or Aadhar Card of at least one of the partners in case of a partnership, Certificate of Incorporation and details of the Directors in case of a Company and the MSME Certificate in case of an MSME. The TM-A form and the supporting documents are then supposed to be uploaded on the IP India website in case of online filing of trademarks or in the concerned registry in case of offline filing, along with applicable fees as prescribed by the government. Individuals, startups and MSMEs are required to pay Rs. 4,500 for online filing and Rs. 5,000 for offline filing. In all other cases, i.e., companies, partnerships and

[18] Trade Marks Act, 1999, § 18, No. 25, Acts of Parliament, 1999 (India).
[19] Ministry of Commerce and Industry Trademark Rules, 2017, DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION (Mar. 16,2017), Rule 25.

Limited Liability Partnerships are required to pay Rs. 9,000 for online filing and Rs. 10,000 for offline filing.[20] Once the application is made to the registry, it goes through manual formality checks wherein an examiner is tasked with checking whether the documents and the fees are in order.[21] In the case of device marks, the mark is sent for Vienna Codification wherein a code is assigned to the figurative elements from 29 categories, 145 divisions and 816 sections.[22] This code is used to differentiate the mark from others and is a tool for identifying similar marks in subsequent searches. In case there are any discrepancies found in the formality check, the Applicant is notified of the same and an opportunity is given to Applicant to rectify the issue.

Second, ("**Stage II**") once the application is formality checked, processed, and coded; it enters the examination stage where the individual examiners are assigned with the application. The examiners are tasked with finding any discrepancies in the applied mark under the Sections 9 and 11, i.e., absolute and relative grounds of refusal.[23] As per Section 9, examiners are required to manually check and raise objections against marks that are not distinctive or are incapable of distinguishing itself from other marks,[24] marks that contain elements that indicate kind, quality, quantity, intended

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[20] *Id.* First Schedule.
[21] CGPDTM, *A Draft of Manual of Trade Mark Practice & Procedure*, IP INDIA, (July 21, 2025, 12:47 PM), https://ipindia.gov.in/writereaddata/Portal/IPOGuidelinesManuals/1_32_1_tmr-draft-manual.pdf.
[22] WIPO, *International Classification of the Figurative Elements of Marks (Vienna Classification)* (9th ed. 2022), https://nivilo.wipo.int/pdf/eng/vienna/vie9eng.pdf.
[23] *Supra* note 18, §9 and §11.
[24] *Id.* § 9 (1), (a).

purpose, values, geographical origin or time of production[25] and marks that contain elements that have become customary in current language.[26] Additionally, if marks are likely to deceive or cause confusion in the minds of the public,[27] or are likely to hurt religious sentiments[28] or are prohibited under the Emblems and Names (Prevention of Improper Use) Act, 1950, objections are to be raised.[29] Further, marks that exclusively contain shapes of the goods which results from the nature of the goods themselves, or shapes of the goods that are required for obtaining a technical result or shapes that add substantial value to the goods are to be objected to.[30] As per Section 11, the examiners are required to object to the marks that are identical or similar to registered mark[31] or a well-known mark or an unregistered mark protected as per norms of passing-off.[32]

In order to raise these objections, the examiners have to conduct extensive searches and manually compare the applied mark to marks available in the database. The margin of error increases in the manual comparisons due to the large number of results that surface in the searches and the absence of unregistered marks in the database. In case, the mark satisfies the conditions under Section 9 and 11, the mark is accepted and advertised in the trademark journal.[33] In the event that an objection is raised

[25] *Id.* § 9 (1), (b).
[26] *Id.* § 9 (1), (c).
[27] *Id.* § 9 (2) (a).
[28] *Id.* § 9 (2) (b).
[29] *Id.* § 9 (2) (d).
[30] *Id.* § 9 (3).
[31] *Id.* § 11 (1) (a).
[32] *Id.* § 11 (2).
[33] *Id.* § 19.

by the examiner,[34] a First Examination Report ("**FER**") is issued to the applicant.[35] A reply to the FER has to be filed by the applicant through the Pending Application Record Management ("**PARM**") portal along with supporting documents substantiating the claims. Upon scrutiny of the reply, if it is found to be satisfactory, it is released from the PARM modules followed by being accepted and advertised in the journal. However, if the reply is not satisfactory, show cause hearing is fixed, wherein the Applicant is required to appear before the examiner and advance arguments in favour of removing the objections raised.[36] Upon the conclusion of the hearing, if the examiner is satisfied with the arguments advanced, the mark is accepted and advertised in the trademark journal,[37] else it is rejected. The examiner might impose certain conditions and restrict or may require the applicant to make certain changes in the application before the mark is accepted and advertised.[38] Any changes to the application have to be made through Form-16 or TM-M, which shall be accompanied with appropriate fees. These applications are assigned to senior-examiners in the Pre-Registration Amendment Section ("**PRAS**"). The PRAS module is used for making corrections that are mere clerical in nature. This step could be entirely automized through AI.

Third, ("**Stage III**") once the advertisement is published in the trademark journal, the mark is opened to opposition by the public for the

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[34] *Id.* § 18 (4).
[35] *Supra* note 19, Rule 33.
[36] CGPDTM, *supra* note 21.
[37] *Supra* note 18, § 20 (1).
[38] *Id.* § 12.

forthcoming 4 months. The opposition must be filed through a TM-O, which is then manually processed and forwarded to the applicant under the cover of a Notice of Opposition, both through physical post and electronic mail.[39] The Applicant is required to file a Counter Statement ("**CS**") within 2 months, the failure of which results in the abandonment of the application[40]. The Opposition within 2 months, is required to file evidence under Rule 45 or a relying letter, stating that the Opponent relies on statements made in the TM-O.[41] The failure to file evidence under Rule 45 results in the abandonment of the Opposition, resulting in the success of the Application.[42] If evidence under Rule 45 is filed, the Applicant within 2 months, is required to file evidence under Rule 46 or a relying letter, stating that the Applicant relies on statements made in the CS. The failure to file evidence under Rule 46 results in the abandonment of the Application, resulting in the success of the Opposition. The Opposition may file evidence under Rule 47, i.e., only additional evidence to evidence under Rule 45. The evidence stage closes with the lapse of 2 months from filing evidence under Rule 46/Rule 47. Extension of time could be sought through TM-M/TM-16 accompanied by appropriate fees.[43] Hearing notices are issued by the registry calling for appearances in Opposition hearings. The parties are given a maximum of two opportunities to appear

[39] *Supra* note 19, Rule 42
[40] *Id.* Rule 43.
[41] *Id.* Rule 44.
[42] *Id.* Rule 46.
[43] *Id.* Rule 47.

before the Registry. However, there are instances of significant delay and non-appearance being unnoticed.[44]

All the above-stated steps, are verified manually by the registry and processed accordingly. The examiners are required to send notices and other communications through the portal manually. This at times might take significant time due to the excessive pendency resulting in a vicious cycle of delay and increase in burden on the registry. Once, the parties enter appearance, the hearing commences and the parties present their case. The registrar needs to accordingly pass an order. It is pertinent to note that in cases of abandonment, the registry needs to pass a summary order.[45] Though a standard format is available in the portal, the same could be wholly automized through time-based parameters available to the registry. In the event of the matter going for hearing, a reasoned decision needs to be passed by the registry. Drafting the order might take a few hours to several days. Most orders share a standard format, however, the same might go through significant change based on the facts of the case. This is where AI could significantly aid the registry.

Fourth, ("**Stage IV**") in the final stage, if the application faces no opposition or the applicant succeeds in the opposition stage, trademark registration certificates are issued by the registry. Though the certificates are drawn up in an automated system, the forwarding of the same is done manually through physical post and the same is uploaded on the IP India website, which makes it available to all. This step required no human

[44] *Id.* Rule 50.
[45] CGPDTM, *supra* note 21.

intervention and can be wholly automated since it can be based on the available data in the database.

For the sake of pertinence, even after the registration of a particular mark, rectification applications can be filed by Opposing parties for the removal of a registered mark. However, the same shall not be separately dealt due to the similarity in the nature of proceedings compared to Opposition proceedings.[46]

D. THE USE CASE SCENARIO OF AI

i. Interface Of AI And Automation with Each Stage Of Trademark Prosecution

Stage I

Upon perusing the trademark prosecution process and the potential of AI and automation, it is clear that there is ample scope for integration of the technology in the operations of the Trademark Registry. However, the degree of autonomy is a matter of consideration. As previously discussed, AI in theory could be completely automated or could require human intervention. Although there are models of purely automated AI that are currently in use, they are still not at a level such that it can undertake completely autonomous operations rather they can be used as assistance tools. Thus, for the purposes of this chapter we shall be restricting the meaning of AI to programmes that can predominantly undertake tasks but they need human supervision.

[46] CGPDTM, *supra* note 21.

With reference to Stage I, the examiner is required to manually check for the details and the documents provided in the Application, which comprises of the TM-A Form along with the supporting documents and the requisite government fees. It is pertinent to note that nearly 98% of applications made to the registry are through online mode, however, the Government has taken additional initiatives to digitise the trademark prosecution process. Thus, all applications are merged into the same database as that of online applications. This endeavour of the Government has made the integration of AI simpler due to the full range of applications being available to the programme.[47]

As a refresher, nearly 112835 are in Stage I, i.e., in the formality check phase. As of the Annual Report for 2022-23, 446580 applications were made to the trademark registry and approximately only half of these applications, i.e., 237203 applications were registered.[48] Due to the manual nature of the tasks in Stage I, applications require around 18-24 months to be registered,[49] even when the Objection and Opposition stages are not taken into consideration. In Stage I, there is little to no application of the

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[47] CGPDTM, *Standard Operating Process of Trade Marks Applications*, IP INDIA, (Aug. 16, 2024, 7:30 PM), https://ipindia.gov.in/writereaddata/Portal/Images/pdf/SoP_of_Trade_Marks_Applications.pdf.

[48] CGPDTM*, Pendency Report for Patents, Trademarks, Designs & Copyright (as on 31-07-2022), (JULY, 2022),* IP INDIA, (Sep. 01, 2024, 1:05 PM), https://www.ipindia.gov.in/writereaddata/Portal/Images/pdf/PENDENCY_REPORT_IN_THE_OFFICE_OF_CGPDTM_31-07-2022.pdf.

[49] Aditi Bagchi, *Trademark Registration Timeline in India: How Long Does It Take?*, L.R. Swami Co., (July 22, 2024, 06:30 PM), https://www.lrswami.com/page/frequently-asked-questions#:~:text=How%20long%20does%20it%20take,8.

mind, thus a basic automation software fed with the relevant parameters would drastically reduce the pendency. These parameters would include:

- *TM-A (Form)* – The automation software would need to only consider whether the requisite data in the application has been provided by the application and/or the trademark agent. This data shall include, the nature of the application (standard/collective/service, etc.), the legal status of the applicant (individual/company/partnership, etc.), the name and trademark of the applicant, the details of the applicant (address/address of service/jurisdiction/contact details, etc.). Further, details relating to the mark need to be verified, which shall include the type of mark (word/device), the description of the mark, description of image (if any), high-quality image of the mark (in case of device mark). Further, the good description and details relating to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, priority claim/ prior use claim (if any), authentic digital signature and verification undertaking all could be parameterised. Note that the purely automated software would just be taking into account the input and not the correctness or validity of the input.
- *Supporting Documents* – Based on the input in the previous section, the software would check whether relevant supporting documents as discussed in the previous chapter have been provided. Merged documents shall not be allowed since the automation in this stage shall only take into consideration the number of files that have been

submitted by the applicant and not the content in these documents apart from the TM-A Form.

- *Fees* – Based on the input indicating the nature of the applicant, the software shall verify the amount that has been submitted by the applicant. This could be done by connecting the payment portal with the formality check portal.

For details of the trademark agent, the software would need to crosscheck with the repository and conclude whether the data provided is genuine.

In the case of word marks, ***Stage I*** concludes here, but when it comes to device marks the same is forwarded for Vienna Codification[50]. Currently, the WIPO provides an assistance tool for Vienna Codification.[51] Though helpful, the same is not always accurate, thus requiring human intervention. However, AI software like Imagga, Amazon Rekognition, Google Vision AI etc. are all programmes capable of discerning the elements in an image. These tools are capable of not only image recognition, but can also provide a similarity index which would aid in pigeon-holing the element in the categories, divisions, and sections. These when coupled with a software similar to the WIPO Vienna Code assistance tool, could not only replace human intervention but could also reap better results than humans, due to the objective nature of computer programmes. This could potentially lead to the complete

[50] WIPO, *International Classification of the Figurative Elements of Marks (Vienna Classification)* (7th ed. 2012), https://nivilo.wipo.int/pdf/eng/vienna/vie7eng.pdf.
[51] Vienna Classification Assistant, WORLD INTELLECTUAL PROPERTY ORGANISATION, https://vienna-assistant.branddb.wipo.int/.

automation of ***Stage I.*** In the event of any discrepancies found in the application, the same can be notified to the applicant, who can incorporate the required changes or provide any required documents.

Stage II

Upon the conclusion of Stage I, the application is checked, processed, and Vienna Coded. Now, the application enters Stage II. Hereon, AI could be utilised for both word and device marks. This stage mostly comprises of conducting searches to compare the application mark with existing marks in the database.

- *Word Marks* – The process for word marks would be rather simple when compared to device marks. The same can be conducted with programmes similar to the Python Algorithm, Soundex. This programme is designed to take input in as a string (word) and then reproduce a character (single letter) string that sounds phonetically similar to the input string. This would then be compared with existing marks in the database. If found to be similar or identical, the same shall be flagged. However, the programme needs to feature additional functions without which the comparison would be incomplete. The programme shall also have a set of data representing customary words that are used in trade, well-known marks (both declared by the registry and ones that have been declared by a court of law, although the same needs to be published by the registry under Official Notification), words having religious connotation, containing scandalous or obscene matter and emblems and names that are prohibited under the Emblems and Names (Prevention of Improper

Use) Act, 1950. If found to be similar or identical to the aforementioned, then the same shall be flagged. Further, if the marks have elements that indicate kind, quality, quantity, intended purpose, values, geographical origin, or time of production, such marks shall be automatically flagged. Furthermore, if the mark contains shapes in the name, then the same shall also be flagged. Only the flagged marks shall be forwarded to an examiner, who shall now have a narrow set of data to process, compared to the massive search results that would have to be previously processed.

- *Device Marks* – The examination of device marks is comparatively more complicated than word marks. Software like Imagga, Amazon Rekognition and Google Vision AI need to be utilised. The existing marks in the database would be compared with the applied mark, however, visual similarity cannot be competently dealt with by the current AI programmes. Rather, they would act as a tool for assisting the examiners. Most AI image recognition tools work by filtering, segmenting, extracting and comparing. The same could be utilised by the registry. However, the same needs to be based on a similarity index that is produced by the AI but threshold for the same is up for debate since there is the involvement of subjectivity in the current form of examination which will need to be altered to facilitate the integration of AI, for which there need to be a shift in standard of examination. For simplicity's sake we shall take an arbitrary value for 'threshold of similarity' and in case, the similarity index crosses the threshold, the same needs to be flagged.

Additionally, the database needs to be fed in with elements that represent customary images that are used in trade, well-known marks, images having religious connotation, containing scandalous or obscene matter and emblems and names that are prohibited under the Emblems and Names (Prevention of Improper Use) Act, 1950. If found to be similar or identical then the same shall be flagged. Further, if the marks have elements that indicate kind, quality, quantity, intended purpose, values, geographical origin or time of production, such marks shall be automatically flagged. Furthermore, if the mark contains shapes that are similar to the Class applied in or contain shapes directly reminiscent of the good description, then the same shall also be flagged. Only the flagged marks shall be forwarded to an examiner.

Once the flagged marks are examined, the FER is to be released with the aid of automation tools. It is pertinent to note that this process of flagging and examination of the marks is imperative to feed the AI with adequate data since it is aimed at equipping the AI with matters that are against religious sentiments, scandalous or obscene, and other factors through pattern recognition.

If the Applicant furnishes a reply, then steps in Stage I shall be repeated to conduct a formality check and then sent to the examiner. The examiner, upon scrutiny, may either accept the mark or call for show cause hearing. In both cases, automation tools would be utilised to intimate the Applicant.

In the event of a show cause hearing, the examiner is required to provide a reasoned decision. This decision in most cases features a similar framework: *first*, the details of the application and the applicant; *second*, the

good description, date of application, date of examination, details of reply to first examination report (if any), date of show cause hearing, the details of attorney(s) appearing for the applicant, the arguments advanced in the reply and the hearing followed by the decision. AI could be utilised to draft a standard format since it has all the data except the arguments and decisions of the hearing officer, which can be separately inputted.

In case, the examiner requires any changes to the application, then the same needs to be done through the PRAS module. Since the orders are uploaded by the registry, any changes from the end of the applicant merely need to be compared to the order passed by the examiner and if the same is identical, the TM-M shall be processed and accepted.

Stage III

With the conclusion of Stage II, the marks surviving the scrutiny are accepted and advertised in the journal. Stage III opens the mark for external scrutiny; wherein other parties can oppose the registration of the mark. This stage of the prosecution process involves a hefty amount of document processing as well as decision-making. Thus, this stage cannot be wholly automated. We shall be segregating the parts that can be automated and the parts wherein AI could be utilised as an assistance tool.

Elements to which automation can be applied – The Opposition Stage has a hefty amount of documentation, wherein the TM-O/ Notice of Opposition, the CS, Evidence under Rule 45, 46 and 47 are to be processed. These are time-bound documents that are to be filed by the Opposing Party and the Applicant.

A similar automation approach taken in Stage I can be utilised in this stage wherein the automation would take all parameters in Stage I into consideration with an added parameter of the filing date. A leeway of 2-3 days would have to be given since it is a standard practice of the Registry and at times delays might be a result of a technical glitch taking place on the portal.

Herein, wholly automated systems can be utilised since, the only input required for abandonment orders are time-based parameters. The automation shall be tasked with forwarding notices whenever it receives any documentation in this stage irrespective of the content of the documents, since it is up to the opposite party to counter and the Registrar to adjudicate.

In case the parties fail to furnish documents in the stipulated time, the automation shall be tasked with the drafting of abandonment orders. These orders are currently drafted in a standard form and require the name of the parties, the stage of evidence, and the date of filing/notices. However, these are summary orders which though require little to no application of mind, might end up being extremely taxing due to their sheer volume.

If the application or opposition is not abandoned and the same passes through the evidence stage, the automation would need to conduct a search on the database, detect a reasonable slot for hearing, fix the hearing date, and forward the notice of the hearing to the parties. A maximum of two additional dates would be fixed by the automation if the parties do not attend the hearing. In all additional dates, the parties need to satisfy the Registrar on the ground of delay, who may allow or reject

such explanation and update the same on the database. If the same is rejected or the parties do not attend the hearing on the final opportunity, then the opposition/application, as the case maybe, shall be summarily rejected.

In certain cases, extension of time may be granted if an application is made through a TM-M/TM-16.

Elements to which AI can be applied – Once the evidence stage is completed and the documents are in order, no abandonment due to non-appearance or non-submission of documents takes place, the hearing is fixed. AI would not play an autonomous role in this stage, rather it could be used as an assistance tool. Unlike abandonment orders, the orders emanating from an opposition hearing in most cases are lengthy and detailed. However, the same follows a format wherein certain components and the flow of the order remains the same in most cases.

First, the cause title of the opposition case and other relevant details like the opposition number, application number, the addresses of the parties, and the concerned marks, making up the cover page are all available in the database. *Second*, a brief introduction of the applicant and the applied mark along with details of use, distinctiveness (as mentioned by the applicant), associated marks (if any) can be lifted directly from the CS. *Third*, a brief introduction of the opponent and their mark along with grounds of challenge, details of use and other relevant details (as mentioned by the opponent) can be lifted directly from the TM-O. *Fourth*, the details of the attorneys and the arguments advanced in the hearing need to be inputted by the hearing officer. *Fifth*, a template for the reasons

for the decision of the Registrar, per Sections 9, 11, 12, and 18 can be created by the AI. Herein, the AI shall not fill in the details but create a skeletal structure for the assistance of the Registrar. Finally, the concluding paragraph summarising the decision of the Registrar can be drafted by the AI based on the inputs of the Registrar in the template.

It is pertinent to note that AI is not yet capable of making sensitive decisions that might be required in the opposition proceedings, thus its role shall be limited to a digital assistant. The same needs to be scrutinised by the Registrar to ensure the veracity and correctness of the format. The format shall be editable to ensure that all necessary changes can be incorporated.

It is also pertinent to note that the Apex Court of the country is utilising AI for legal research, transcription, legal reasoning, and delivering reasoned decisions. The High Courts of Manipur[52] and Delhi have used AI assistance.[53] Pilot testing of Dragon AI Speech Recognition Software in several courts, especially in Delhi and West Bengal is taking place.[54] The penetration of AI in the Indian judiciary gives ample hope that the use of

[52] Srinjoy Das, *Manipur High Court Uses Chat-GPT to Conduct Legal Research & Pass Order in Service Law Matter*, LIVE LAW, (July 21, 2025, 12:45 PM), http://livelaw.in/high-court/manipur-high-court/artificial-intelligence-manipur-high-court-uses-chat-gpt-to-conduct-research-on-service-law-matter-pass-order-258742.

[53] Nirbhay Thakur, *Justice at your Fingertips: How AI is helping Delhi's Judges, Lawyers Deal with Caseload*, INDIAN EXPRESS, (July 21, 2025, 12:45 PM), https://indianexpress.com/article/cities/delhi/justice-at-your-fingertips-how-ai-is-helping-delhis-judges-lawyers-deal-with-caseload-10014723/.

[54] Srinjoy Das, Calcutta High Court Distributes 'Dragon Legal Speech Recognition Software' To Judicial Officers of WB & Andaman and Nicobar Islands, LIVE LAW, (July 21, 2025, 12:46 PM), https://www.livelaw.in/high-court/calcutta-high-court/calcutta-high-court-dragon-legal-speech-recognition-software-distribution-judicial-officers-west-bengal-andaman-244641.

AI in quasi-judicial bodies would not be far-fetched but rather an eventual step forward.

Stage IV

In Stage IV or the final stage, yet again there is little to no requirement of human intervention since by this point the database already has data relating to the fate of the application. In the event that the applicant has successfully defended his mark through the examination and opposition stages, the application is fit and completely processed for grant of trademark. As discussed in Stage IV, the trademark registration certificate is drawn through automation, however, the posting and upload of the certificate are done manually by registry officials. However, given that the hardcopies of registration certificates are no longer necessary for evidencing or any other purpose and with the advent of the Information Technology Act, 2000, digital documents have been given legal status as evidence, the requirement of physically posting the certificate only increase the paperwork and load on the registry. An automated system similar to that used for dispatch of notices, as mentioned in the previous sector can be very well utilised for the upload and e-posting of the certificates. Further, there shall be no impediment in this since the required information like e-mail address and contact details are also checked for in Stage I and Stage II.

ii. The Need of Change From the Average Consumer Test to AI Test.

The very premise of trademark law since its inception was to protect the commercial identity and distinctiveness of an entity that is channelised through marks, be it in the form of a word or a label whilst simultaneously protecting the consumer from confusing and deceptive practices.[55] However, to accomplish the same, the standard is humanised which is reflected in the Average Consumer Standard. The Average Consumer is considered to be a hypothetical person representative of the "*quintessential common man*" who is reasonably observant, well informed, and circumspect.[56] While comparing marks from the perspective of the Average Consumer, if the examiner feels for a fleeting second that there is potential for the Average Consumer to be confused, then the registration of the mark shall be refused and/or objected to, depending upon the degree of confusion. Essentially, the test sets a floor for distinctiveness. However, at the time of developing the standard, the consumers were solely human beings and the world was yet to witness the rise of disruptive technologies like AI and ML.

Thus, for the integration of AI in the operation of trademark registries, the standard needs to be altered. However, this creates a fork in the road, wherein a decision would need to be taken whether the standard should be elevated to match the technological advancement and the inevitable rise of machine or AI-assisted shopping or the AI should be

[55] Stephen L. Carter, Comment, *The Trouble With Trademark,* 99 YALE L.J, 759 (1990).
[56] N Dinesh Kumar vs Shweta Khandelwal, (2021) 2 AKR 471 (India).

stunted to meet the standards of an average man. Another workable route could be the implementation of an Imperfect AI Standard, which shall be the transitory standard and a Perfect AI Test which shall be the eventual threshold for the registry and the legal authorities.

The Imperfect AI – This standard shall be applied to replicate the Average Consumer test while conducting AI-assisted examinations. The AI would be instilled with certain human imperfections like

- Average Human Intellect
- Average Awareness and Knowledge
- Circumspect Behaviour
- Imperfect Recollection

It shall be noted that this model would not be using AI to its fullest potential and it does not take machine or AI-assisted shopping into consideration. It is an attempt to replicate human behaviour, i.e., to mimic an "*unwary consumer with average intelligence and imperfect recollection*"[57] for whom differentiating between two similar marks specially attached to identical or similar classes if not impossible would be cumbersome.

In *Starbucks v. Sardarbuksh*, the defendant's mark was deemed to be identical to Starbucks' well-known mark, featuring a similar colour scheme. Pursuant to the same, the Registry directed the defendant to make necessary changes.[58] If the task of differentiating is solely left to an AI with perfect intellect and recollection, then most marks would be rejected since the AI

[57] Corn Products Refining v. Shangrila Food Products Ltd., (1960) 1 SCR 968 (India).
[58] Starbucks Coffee v. Sardarbuksh Coffee, CS (COMM) 1007/2018 (India).

would be capable of differentiating even the most minute details. Thus, the threshold of similarity needs to be fixed. Further, the transition period is required for feeding in data essential for the functioning of the AI, which would incorporate certain unique human traits of brand consciousness and market relevance.[59]

Further, it would enable the AI to have a platform for understanding the average standard for obscene or scandalous matters and religious sentiments, one which was highlighted when a social activist lodged a complaint alleging that the logo of the e-commerce website Myntra was offensive since it resembled the female genitalia, pursuant to which Myntra changed the logo within a month.[60] These inputs would still be required in the Perfect AI Test since these are learnable parameters and not incorporable through only code.

The Perfect AI Test – Once the AI is fed with the learnable data and with the rise of machine or AI-assisted shopping, the Average Consumer Test and the Imperfect AI Standard, as discussed previously to be a transitory standard, shall be revamped in favour of an AI test. This test will eliminate human imperfections whilst transitioning from a subjective to an objective view of trademark law. The test would exude a stricter standard wherein the following shall be the assessing parameters:

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[59] Gholam Soltani, *The Role of Artificial Intelligence in Trademark Law: Challenges and Opportunities*, CRIMSON PUNLISHERS, (July 22, 2024, 7:10 PM), https://crimsonpublishers.com/cojra/fulltext/COJRA.000590.php.

[60] Athira Nair, *As Myntra Turns 10, here are the Major Milestones in its Journey*, YOUR STORY, (Sep. 04, 2024, 08:01 PM), https://yourstory.com/2017/02/myntra-turns-10.

- Perfect Intellect, Awareness, and Knowledge – With the technological advancement in machine and AI-assisted shopping the examiner shall presume that the consumer is equipped with all tools required for distinguishing elements of a mark. These distinguishing characteristics shall include visual, phonetic, and conceptual elements of a mark.
- Perfect Recollection – Since the AI has access to the entire database along with the data collected and behaviour learnt from the transitory period, the examiner shall view the mark from the perspective of an all-knowing machine and not as a person with imperfect recollection. It is to be presumed that the consumer shall exhibit perfect recollection and would be able to retain particulars of a mark, especially the defining characteristics.
- No Circumspect Behaviour Criteria – Since the examination is being conducted while the presumption of machine and AI-assisted consumers, criteria of willingness or the lack thereof to take risks could be completely done away with.

Nevertheless, this test could be disadvantageous due to the socio-economic conditions of India, where a large section of consumers might prefer to transact through traditional/physical markets without the need or intervention of AI. However, raising the standard of distinctiveness shall benefit the consumer with no apparent adverse effects on the players in the market. The market players would need to innovate on their

branding and commercial image rather than basing their image on established market impulses.

III. STAKEHOLDER AND EXPERT INPUT: ANALYSIS

After venturing into the legal implications and interface of AI centred around the trademark registration process as well as complimentary principals of trademark law related to distinctiveness, this paper proceeds to focus on the practical aspects and feasibility of integrating AI assistant tools and automation, by conducting an empirical study with the aid of opened-ended questionnaire method. Data has been collected from 20 respondents who are experts from relevant domains and institutions, namely –

The following part deals with the analysis of the empirical data collected from the above-mentioned respondents-

A. Trademark Registry Officials/ Examiners	The Trademark Registry Officials and Persons working as Examiners were interviewed to gauge the legal and ethical implications of integrating AI and automation in the trademark prosecution process. They were questioned on the desirability of AI and automation in the process, cost and infrastructural limitations and the applicability of the technology in different stages of trademark prosecution.

	It has been observed that Trademark Registry Officials and Examiners are desirous of integrating AI and automation in the functioning of the trademark registry. It has been highlighted that with the inclusion of the technology the standard for distinctiveness would need to be altered which would lead to the conduction of an objective examination, which shall significantly increase the predictability of a potential acceptance or refusal of the application. From a legal standpoint it has been pointed out that since marks are processed on a case-to-case basis, there is a possibility that the process would lead to overly stringent standards. From an ethical point of view, no remarks have been made. It has been indicated that cost and infrastructure shall not be a hindrance even if the same is significant, due to the benefits offered. It is believed that AI could significantly reduce the turnaround time for examination, which is around 10-15 minutes per application. It is believed by an overwhelming majority that the application of AI and automation is most significant in the pre-examination, examination, PARM and registration stages. Further, AI could only be a tool in the opposition and PRAS module.

B. Software Professionals	Software Professionals were interviewed to gauge the capability of AI and automation with respect to trademark prosecution. The questions were framed to ascertain the capability of AI in replicating

	human sentiments and behaviour, the duration required to enable the AI to perform optimally, cost, extent of human intervention and scope of undertaking certain tasks relating to relevant market and consumer base.

It has been observed through the responses of all software professionals that advanced AI with LLM and MML will be able to detect and generate solutions and form opinions on real word problems. However, the accuracy of such a model will depend on the amount of representative data in terms of both quality and quantity that has been fed to the AI. AI would be able to replicate human behaviour and detect obscene and/or marks against public morals/order and/or marks hurting religious sentiments and/or marks that are culturally significant. However, most of the respondents believe that even though advanced AI models do have the capacity of data recognition and extraction some kind of human supervision is necessary, especially in Examination and Opposition stage. Human supervision can be negated in cases where the analysis of data is of an objective nature, like those in the Pre-examination Stage Registration Stage, PARM, PRAS.

The majority of the respondents agree that AI would be able to detect phonetic similarity by performing text-to-speech conversions and vice-versa coupled with RAG (Retrieval Augmented Generation) applications and ML models trained on billions of parameters with data fed from the open internet. Amongst the 5 respondents, only 2 agree that

detection of acquired distinctiveness of a mark and the ability to employ the principle of imperfect recollection can be detected by AI. With respect to the introduction of an AI-assisted model in the registry, there has been a unanimous affirmation. However, the respondents were unable to give a tentative time that would be required to train professionals as well as to populate the AI model and to sanitise the training data, to remove any bias or hallucination.

C. Legal Academics and Legal Professionals	Legal Academics and Legal Professionals were interviewed to gauge the legal and ethical hindrances in the integration of AI and automation in the trademark prosecution process alongside identifying the changes required in the fundamental principles of trademark and associated concepts. Questions were framed to ascertain the applicability in each stage of trademark prosecution.
It has been observed by the responses received from Legal Academicians and Professionals that there are both legal and ethical considerations that need to be taken into account. From a legal standpoint changes are required to the principles of trademark law and associated concepts, e.g. the Average Consumer Test and Distinctive	

Character. From an ethical standpoint transparency, reliability, and removal of bias need to be ensured.

It has been pointed out that AI and automation could be used in clerical or mechanical tasks in most stages of trademark prosecution, most significantly in the Pre-examination Stage Registration Stage, PARM, PRAS. Further, its applicability as a tool in the examination and opposition stage with human intervention has been highlighted by the majority of the respondents.

All respondents have opined that AI and automation will have a beneficial effect on the trademark prosecution process.

Further, it has been opined that AI would be capable of identifying consumer preference, purchasing power, and socio-economic capabilities if fed with adequate data, making the process more efficient.

IV. CONCLUSION AND ROAD AHEAD

After a thorough scrutiny of the trademark prosecution process in India, it can be safely inferred that integrating AI and automation into the registry's operations can provide benefits to the registry, applicants or registrants, and consumers. The registry would be relieved of its burden of pending applications, since the AI could be used as a digital assistant in **Stage I** for image recognition and deconstruction for device marks, in **Stage II** for conducting tedious searches with a higher degree of precision, with a lesser requirement of human resources and time, when provided with adequate training data. In **Stage III**, the potential of the AI can be exploited

at a higher level by utilizing it for creating drafts of reasoned orders based on pre-fed information. On the other hand, simple parameterized automation software could greatly improve the turnaround times in **Stage I** due to its mechanical nature, **Stage III** for document verification, arrangement, and onward transmission, along with service of notices, fixing of hearing dates, and issuance of summary order not requiring the application of the human mind owing to time-based parameters. In **Stage IV**, the automation can undertake mechanical tasks of drafting and forwarding trademark registration certificates. The applicants or registrants would greatly benefit from the reduced turnaround time and the predictability of the duration for arriving at a conclusion, and the nature of such decisions. However, such integration would require a shift in the Average Consumer Test. Nevertheless, it is concluded that a drastic shift in the commonly adopted test would bear adverse consequences; thus, a seamless transition would require a primary shift to an Imperfect AI replicating human imperfection, followed by a shift to a Perfect AI devoid of human limitation, which would be the desired workaround. This would in turn facilitate the market and the buyers to have an objective view of brands and their business identifiers, which would promote the consumer-oriented nature of trademark law.

However, the integration of AI and automation in the legal sphere is always met by scepticism and critical opinions due to the reliability, and transparency of the technology. Nonetheless, amidst such discursions, the United Nations General Assembly's Draft Resolution on "*seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable*

development"[61] acts as a symbol of reassurance for exploring the potential of AI in intellectual property rights. Domestically, the National Intellectual Property Rights Policy, 2016[62] supplements the view taken in the international instrument by advocating for "*modernization of various IP offices, including improvement of ICT infrastructure*" with an aim to "*fix and adhere to timelines for disposal of IPR applications*", "*augment manpower*", "*taking into account the rapid growth and diversity of IP users and services, higher responsibilities and increased workload*".[63] Indian courts have also been quick to adopt the technology for conducting legal research as evidenced by the bold steps taken by Manipur,[64] Kerala[65] and Delhi High Courts alongside the West Bengal Judiciary. As of recently the Ministry of Law and Justice has also issued a circular dated August 09 2024 to encourage the use of AI and automation in legal research and process.[66] Finally, though a recent public notice by the CGPDTM's Office inviting applications for the post of "*Research Associate and Young Professionals purely on Contract basis*",[67] might

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[61] U.N. GAOR, 78th Sess., 63rd plen. Mtg. at _, U.N. Doc. a/78/l.49 (Mar. 11, 2024).
[62] Ministry of Commerce & Industrial Policy and Promotion, National Intellectual Property Rights Policy, 2016, DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION (May 12, 2016).
[63] *Id.* Objective 4.
[64] Srinjoy Das, *Artificial Intelligence] Manipur High Court Uses Chat-GPT To Conduct Research & Pass Order In Service Law Matter*, LIVE LAW, (July 23, 2025, 11:36 AM), https://www.livelaw.in/high-court/manipur-high-court/artificial-intelligence-manipur-high-court-uses-chat-gpt-to-conduct-research-on-service-law-matter-pass-order-258742.
[65] Harsh Gour, *What is the Kerala HC's New AI policy all about? And what more is needed?*, THE LEAFLET, (July 23, 2025, 11:41AM), https://theleaflet.in/digital-rights/law-and-technology/what-is-the-kerala-hcs-new-ai-policy-all-about-and-what-more-is-needed.
[66] Ministry of Law and Justice, *Artificial Intelligence in Judiciary*, PRESS INFORMATION BUREAU (July 23, 2025), https://www.pib.gov.in/PressReleasePage.aspx?PRID=2113224.
[67] CGPDTM, *Public Notice No CG/Contract Hearing Officers/TMR/2022,* IP INDIA, (Aug. 29, 2024, 11:30 AM),

seem like another cry for help, in reality, it has another facet wherein it envisages the desire of the registry to integrate AI, ML, and Automation in its operations, by also inviting applications for the post of "*Young Professional- (IT- AI, ML) with Essential Qualification – BE/B. Tech (Electronics & Communications/ CS/ IT) with specialized knowledge in Artificial Intelligence/ Quantum Computing/ IoT/ML /any other relevant areas,*" and despite seeming like a small step, it bears the potential of revolutionizing the trademark prosecution landscape in India.

https://ipindia.gov.in/writereaddata/Portal/News/775_1_APPLICATION_FOR__HIRING_HEARING_OFFICER__2022.pdf.