

INCOME-TAX RULES, 1962

Form No. 3CFA

(See sub-section (3) of section 115BBF

Read with rule 5G)

Form for Opting for taxation of income by way of royalty in respect of Patent

1. General:
 - (a) Full name of the assessee:
 - (b) Permanent Account Number:
 - (c) Address of the assessee:
 - (d) Nature of business or activities of the assessee:
 - (e) Status

2. Whether the option for offering the income by way of royalty in respect of a patent as per section 115BBF is to be exercised for the assessment year? **Yes/No**
 - (i) if yes, following details be provided,-

- (1) previous year ended:
- (2) assessment year:
- (3) date of furnishing of return of income for the assessment year (if filed already):
3. Whether the income by way of royalty in respect of the patent is not offered for taxation as per the section 115BBF for any of the five assessment years succeeding the assessment year in which the option for taxation of income by way of royalty under section 115BBF is validly exercised. **Yes/No**
- (i) If yes, following details be provided-
- (a) Previous year ended on which the option for taxation of income by way of royalty under section 115BBF is first validly exercised:
- (b) Assessment year ended on which the the option for taxation of income by way of royalty under section 115BBF is first validly exercised*:
- (c) date of furnishing of return of income for the assessment year mentioned in (b) above:

4. **Eligible Patent

Sl. No	Particulars in respect of patent	Remarks
A.	<p>Patent Details</p> <p>(a) Patent Number granted under the Patents Act, 1970.</p> <p>(b) Date of grant of patent under the Patents Act, 1970.</p> <p>(c) Description of the patent developed and registered in India containing the invention, patent article and patent process as detailed out in section 2 of the Patents Act.</p> <p>(d) Whether the patent is granted to single persons:</p> <p>If Yes:</p> <p>Name of the patentee being the true and first inventor as entered in patent register.</p> <p>If No:</p> <p>Name of the patentees of the patent (patentee being the true and first inventors as entered in patent register).</p>	
B.	<p>Royalty Income from eligible patent</p> <p>(a) Amount of royalty income from eligible patent for the previous year.</p> <p>(b) Nature of royalty income derived from the eligible patent for the previous year as referred to in clause (h) of Explanation to Section 115BBF.</p> <p>(i) transfer of all or any rights (including the granting of a license) in respect of Patent;</p> <p>(ii) imparting of any information concerning the working of, or the use of , a patent;</p> <p>(iii) Use of any patent;</p> <p>(iv) rendering of any services in connection with the activities referred to in sub-clause (i) to (ii)</p>	
C.	<p>Expenditure incurred on eligible patent</p> <p>(a) Total expenditure incurred on the patent assessee for any invention in respect of which patent is granted under the patents Act, 1970.</p> <p>(b) Expenditure incurred in India by the eligible assessee for any invention in respect of which patent is granted under the patents Act, 1970.</p>	

	(c) Expenditure incurred outside India by the eligible assessee for any invention in respect of which patent is granted under the patents Act, 1970.	Yes/ No
	(d) Whether the expenditure incurred in (b) above is seventy five per cent. or more than the expenditure incurred under (a) above?	

***I declare that to the best of my knowledge and belief, the information furnished herein is correct and truly stated.

Yours faithfully,

Place:

Date:

***Signature

Name

Designation/Capacity

Address

Notes:

- * Details for the relevant assessment year or first of the relevant assessment years, as the case may be, to be provided.
- ** Particulars of each eligible patent should be reported separately along with royalty income and expenditure incurred details.
- *** The form should be furnished and verified by the person authorised to sign the return of income under section 140.”