



**General Statement by India delivered by Ambassador Rajiv K. Chander, Permanent Representative of India at the 59th Series of the Meetings of the General Assembly of WIPO on 30<sup>th</sup> September 2019.**

Mr. Chair,

At the outset, the delegation of India would like to reiterate its confidence in your ability as the Chair of this Assembly. We are positive, that under your able stewardship, this Assembly will be able to make substantial progress on several pending issues.

2. We also extend our sincere appreciation to Director General, Mr. Francis Gurry, and the Chief of Staff and Assistant Director General, Mr. Naresh Prasad, for their diligent, meticulous and tireless efforts in the preparation for this Assembly as well as for the comprehensive report on the progress of WIPO's activities.

3. India commends the effective and valuable role played by Indonesia as the former coordinator of the Asia-Pacific Group. We also express support and confidence on the role of Singapore as the present coordinator of the regional group.

Mr. Chair,

4. We believe that the World Intellectual Property Organization, as the principal norm setting body in the field of Intellectual Property at the global stage, has a much bigger role to play, in spearheading international norm-setting and policy guidelines, and in ensuring effective, balanced and development-oriented implementation of the global IP system. Intellectual Property is at the very root of innovation that enables countries to meet future challenges and allows industries to be differentiated and stand out amidst their peers.

Mr. Chair,

5. At the domestic level, India has a well-established legislative, administrative and judicial framework to safeguard Intellectual Property Rights, which meets its international obligations while utilizing the flexibilities provided in the international regime to address its developmental concerns. Since the adoption of the National

IPR Policy in 2016, there has been considerable reduction in pendency of IP applications and increase in disposal and examination due to large-scale augmentation of manpower in Indian IP offices. In recent years, India has taken significant steps towards promotion of innovation and creativity with the aim of creating a dynamic, vibrant and balanced intellectual property system.

Mr. Chair,

6. Our cooperation and collaboration with WIPO has intensified in recent years. India has acceded to five IPR treaties administered by WIPO in the last 12 months. The organization of major events in India, like the Global Digital Content Market and the PCT Roving Seminars, has helped progressively build on our cooperation with WIPO. In fact, the recent launch of the 2019 report of the Global Innovation Index in New Delhi was a significant step, as it was the first time; the report was being launched in a developing country. India has witnessed a substantial jump of 29 places in the rankings since 2015, and this showcases the importance of innovation in the fastest growing major economy in the world.

7. I am also pleased to inform that we are in the process of expanding the network of Technology and Innovation Support Centres (TISCs) in collaboration with WIPO across India.

Mr. Chair,

8. As we embark on 10 days of intense negotiations in this General Assembly, it is important to emphasize on the high expectations we have from this meeting. A number of substantive as well as governance issues have been pending for a long time and it is time to make constructive headway on these fronts.

9. India notes with appreciation that members states in the last session of the IGC decided by consensus to recommend to this Assembly the renewal of the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Primary focus of this Committee should be on text-based negotiations. There is a need to bridge gaps on core issues in all the three texts namely on GR, TK and TCE. Recognizing the complexity of the issues and the divergence of positions, a strong political will is required to arrive at a common landing ground. India supports the inclusion of the Chair's text on GR as a

working document for future sessions of this Committee. However, our understanding is that the Chair's text will complement the other working documents for our future discussions on Genetic Resources and will not be the sole basis of our future discussions on Genetic Resources.

10. We hope for an early finalization of the Design Law Treaty. Both the provisions of technical assistance and mandatory disclosure requirement are essential and should be incorporated in the DLT so as to enable developing countries and LDCs shape their domestic protection systems, as per the flexibilities provided in the TRIPS agreement.

11. We appreciate the decision of the Standing Committee on Patents that the next session of the committee will be confined to fact-finding and not lead to harmonization. We are of the view that the discussions in the SCP should not lead to harmonization as a one size fits all approach will not work, given the diversity of issues faced by different countries, especially developing countries and LDCs.

Mr. Chair,

12. One of the most important developments in recent years has been adoption of the WIPO Development Agenda, correlating WIPO's work with the realization of the Sustainable Development Goals. The CDIP has been doing valuable work to further WIPO's Development Agenda, which has a bearing on the developmental aspects of the agenda in all other WIPO committees.

13. On the work in the SCCR, India supports the early finalization of a balanced treaty for the protection of broadcasting organizations. We believe that this committee will work towards factoring in concerns and interests of all member states on the fundamental issues to make the draft text more balanced and acceptable. In view of the rapidly evolving broadcast industry and the increasing use of digital medium for broadcasting, India believes that broadcasting should cover all types of broadcast, irrespective of platform or medium, including internet. The protection under the proposed treaty should not be limited to traditional broadcasters only, but should also include broadcasting over the internet. However, India will continue to support the signal-based transmission approach without ownership rights over content to broadcasters.

14. Right to education and access of information are key elements for advancement and promotion of culture, science and education. The limitations and exceptions for libraries and archives and for educational and research institutions and for persons with other disabilities are of critical importance for the development of society.

Mr. Chair,

15. In the sphere of governance, we extend our full support to the proposal of the Asia Pacific Group on the composition of the WIPO Coordination Committee. The principle of due regard to equitable geographical distribution, being part of both the Paris and Berne Convention, is extremely essential to maintaining geographical balance in the Coordination Committee.

16. Another major issue that needs the attention of the member states is the impasse over the decision on opening of WIPO External Offices. India is one of the applicants for hosting an External Office of WIPO in its national capacity. We would like to assure Member States that opening of an EO in India will only strengthen the IP ecosystem globally, by ushering in innovative thinking and focus on IP. Delegation of India would like to seek the support of all member states on the hosting of a WIPO External Office in India.

17. On the Programme and Budget of the organization for the next biennium, we are confident that this Assembly will be able to approve the programme and budget. The sound financial health of the organization has been an asset for its efficient and effective working.

Mr. Chair,

18. India looks forward to productive and result-oriented discussions in this session of the WIPO General Assembly and is committed to participating constructively in the deliberations.

Thank You.