



Facilitating Technology Transfer and Management of IP Assets: Country Experiences

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Intellectual Property Rights

- Patents
- Trademarks
- Geographical Indications
- Design Registration
- Integrated Circuits
- Copyright and related Rights
- Protection of New Varieties of Plants
- Unfair Competition
- Biological Diversity

Outline of the Present Intellectual Property System in India

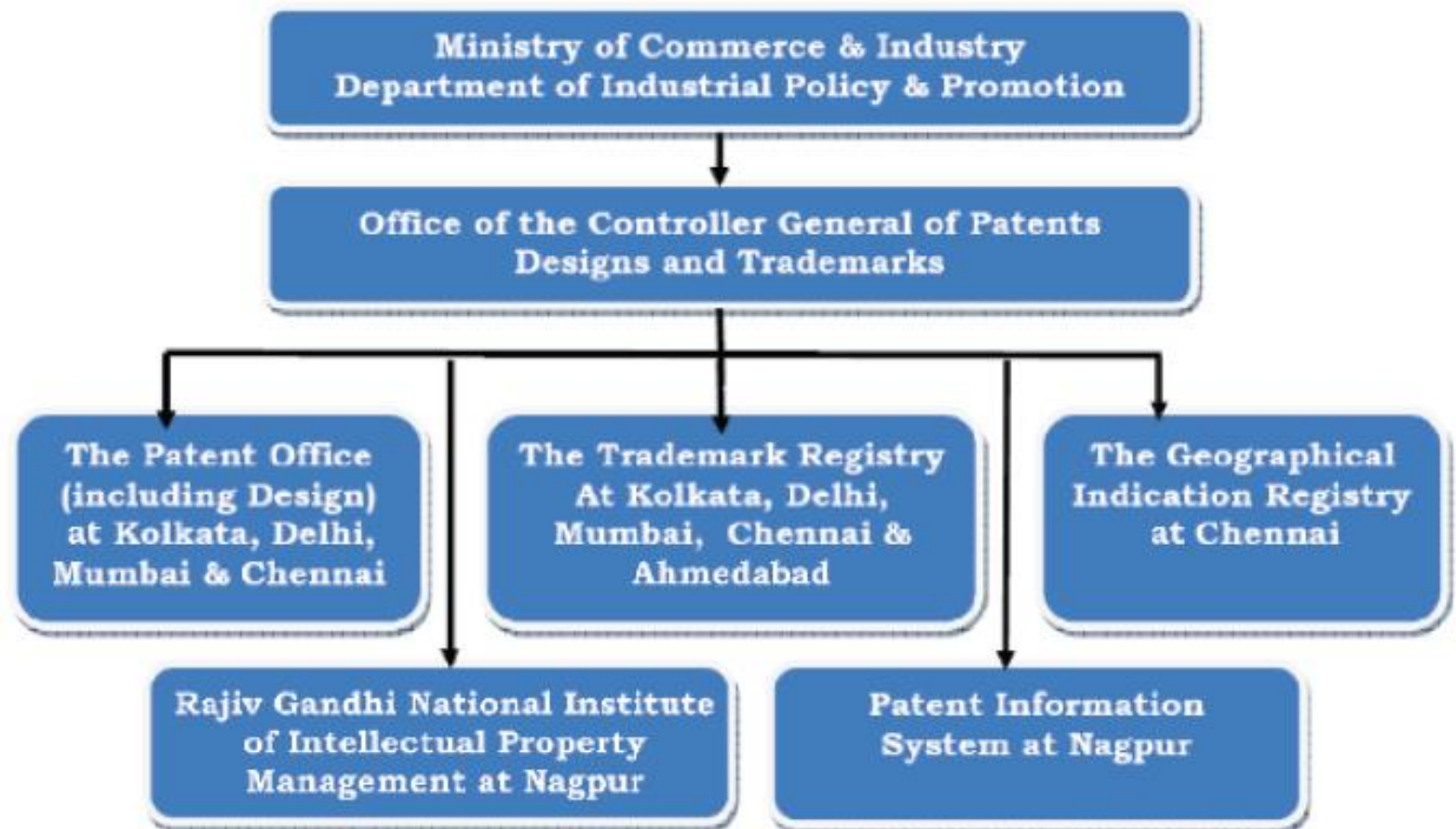
India's comprehensive legal framework on IPRs includes:

- Patent Act 1970 (as amended in 2005)
- Trade Marks Act 1999
- Geographical Indications of Goods (Registration and Protection) Act 1999
- Design Act 2000
- Semiconductor Integrated Circuit Layout Design Act 2000
- Copyright Act 1957(as amended in 2012)
- Protection of Plant Varieties and Farmers Right Act 2001
- Besides this, the Competition Act 2002 and the Biological Diversity Act, 2002 are also important legislations that address issues relating to Intellectual Property Rights.

Outline of the Present Intellectual Property System in India

- The Department of Industrial Policy and promotion is responsible for four of the seven IP rights, i.e patents, trademarks, designs and geographical indications.
- The other IP rights are administered by the
 - Department of Higher Education (copyright)
 - Department of Information Technology (Semi Conductor and Integrated Circuits Layout Design)
 - Department of Agriculture and Coopertion(Plant Varieties Protection and Farmers' Right Act, 2001)

Organizational Chart of IP Office in INDIA



National IP Strategy (NIPS)

- Hon'ble President of India declared the decade of 2011-2020 as the Decade of Innovation
- National Innovation Council was created with a objective of formulating a roadmap for innovation with focus on key parameters namely platform, inclusion eco systems, driver and discourse
- A Sectoral Innovation Council on IPRs was established under the Department of Industrial Policy and Promotion to prepare a National IPR Strategy for encouraging and to address the key concerns of sustainable development and inclusive growth.

Vision Statement- National IP Strategy (NIPS)

“To develop India during Decade of Innovation into a major innovative, competitive and knowledge-based economy by strategic utilization of intellectual property as an engine for accelerated growth and sustainable and inclusive development”

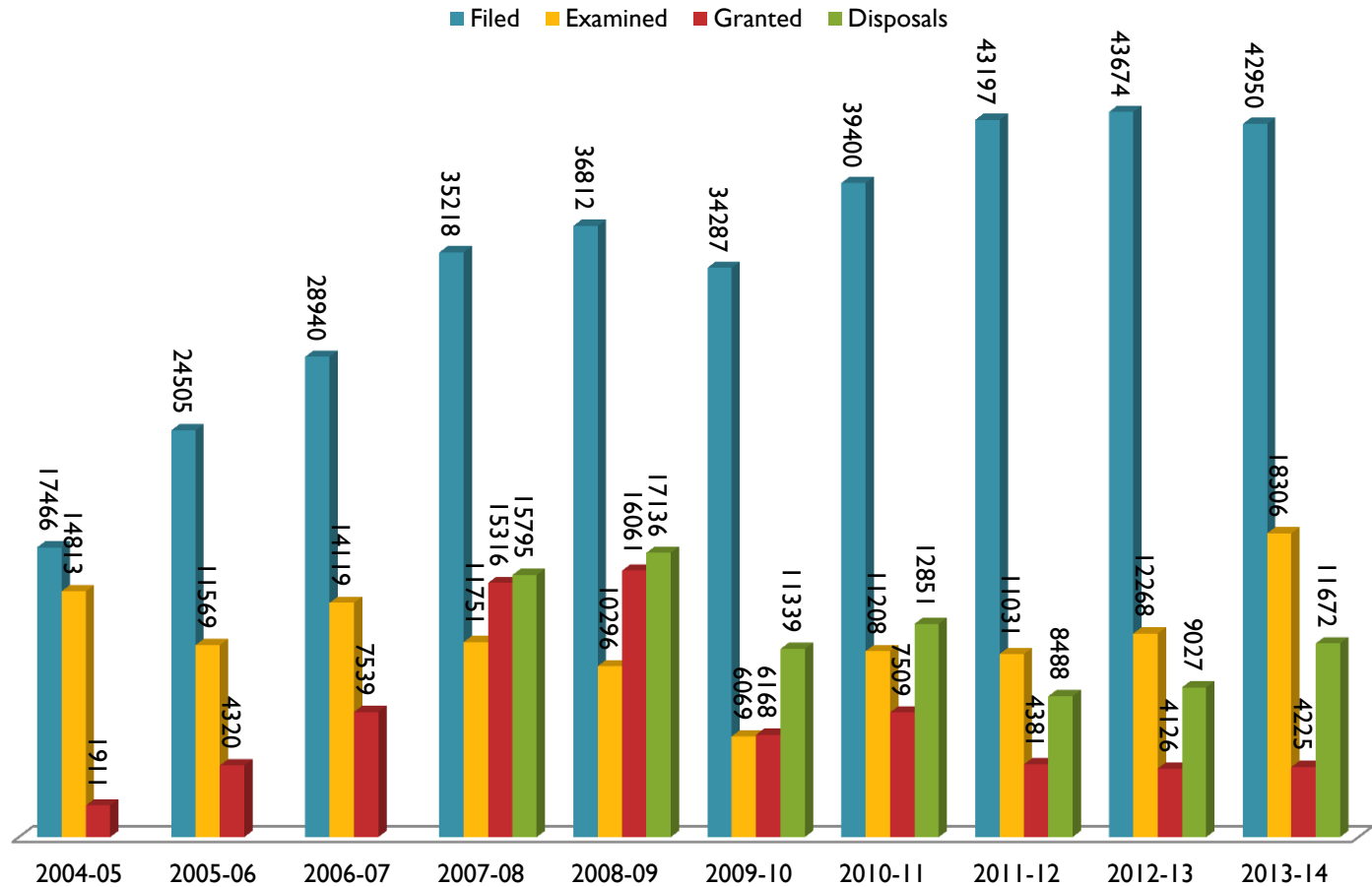
National IPR Strategy

- Stimulating creation and generation of IP Rights
- Strengthening protection of IP and creation of new IP regimes to address the specific needs of the country and the existing gaps
- Establishing an efficient, cost effective and service oriented IP administrative infrastructure
- Institutional capacity building and developing human capital
- Promoting respect for Intellectual Property and effective enforcement of IPRs
- Facilitating Commercialization of Intellectual Property
- Integrating IP components of national Sectoral policies and addressing global IP issues in international fora

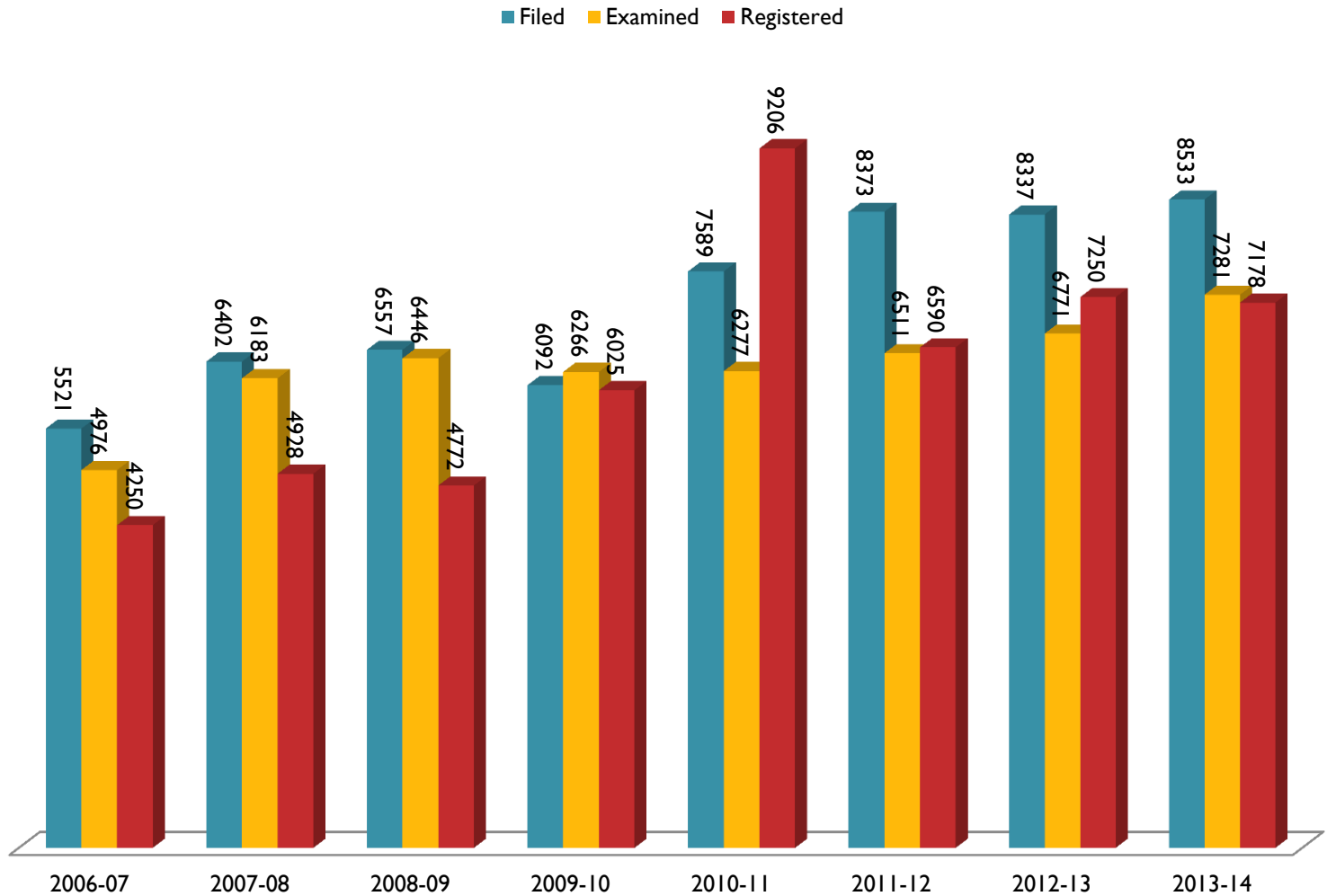
Salient Achievements

- **Meeting International obligations**
 - All the legislations related to patents, designs, trademarks and geographical indications have been amended/enacted. These comply with India's international obligations under the Agreement on Trade Related Intellectual Property Rights (TRIPS)
- **Modernize administration**
 - Plan scheme for Modernization and strengthening of Intellectual Property offices (MSIPO) to develop the modern infrastructure for the Indian patent offices to function as International Search Authority and International Preliminary Examination Authority
 - Plan scheme for National Institute of Intellectual Property Management (NIIPM)
- **Creating awareness**
 - Educating the general public, particularly the business community, on perils of infringement of IPRs held by others/dealing in pirated and counterfeit products

Trend in Patent Applications

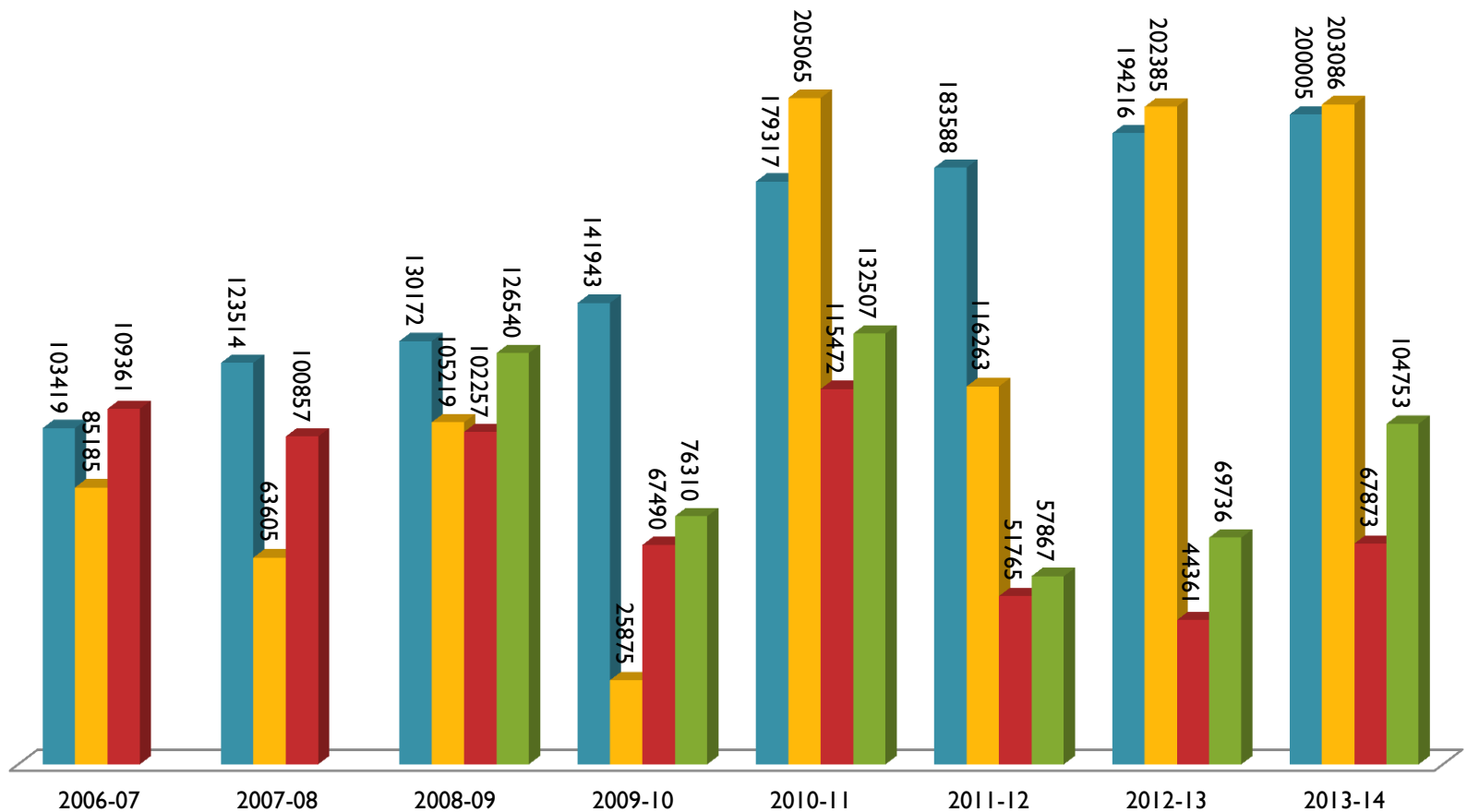


Trend in Design Applications

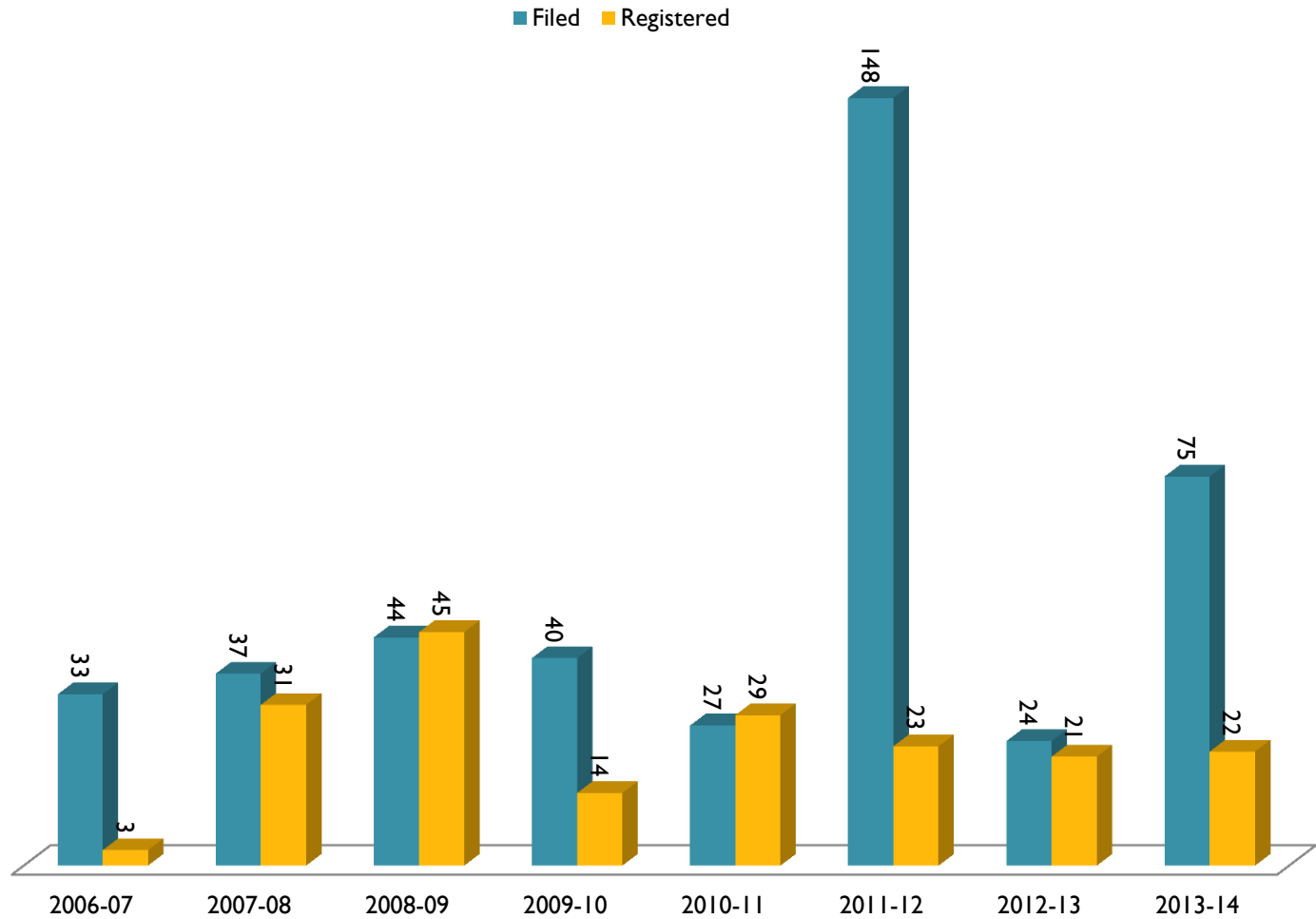


Trend in Trade Marks Applications

■ Filed ■ Examined ■ Registered ■ Disposals



Graphical Indications



Facilitating & Encouraging Commercialization of IP assets-

- Forging link between creators and inventors, universities, industry and financial institutions for commercialization of IP assets.
- Establishment of an IP exchange to stimulate trading of IP and creating a market for IP assets by industry chambers
- Facilitating MSMEs to identify, protect and commercialize their IP creations through Facilitation Centers providing a package of services needed by MSMEs.



Thank you