

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF INDUSTRIAL POLICY & PROMOTION**

LOK SABHA

**UNSTARRED QUESTION NO. 2757.
TO BE ANSWERED ON MONDAY, THE 12TH MARCH, 2018.**

STRENGTHENING OF IPR

2757. SHRI DUSHYANT SINGH:

Will the Minister of **COMMERCE AND INDUSTRY** be pleased to state:

वाणिज्य एवं उद्योग मंत्री

- (a) whether the Government has taken any steps to strengthen the Intellectual Property Rights (IPR) in India;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government has taken any steps to encourage the Innovation Industry in India by liberalizing parameters such as market and price control;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the steps taken by the Government to provide fair access to foreign companies in India regarding IPR?

ANSWER

वाणिज्य एवं उद्योग मंत्रालय में राज्यमंत्री (श्री सी.आर. चौधरी)

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE & INDUSTRY
(SHRI C.R. CHAUDHARY)**

- (a) & (b):** Yes, Madam. Government of India has taken various steps to strengthen the IPR regime in the country keeping in view our developmental needs. The steps undertaken inter alia, include the following:
- (i) The National IPR Policy, 2016 was adopted on 12.05.2016 as a vision document to guide future development of IPRs in the country.
 - (ii) To have synergy between different IP offices, the administration of Copyright Act, 1957 and Semiconductor Integrated Circuits Layout-Design Act, 2000, along with their associated Registries, has been transferred to the DIPP. Subsequently, under the Finance Act,

2017, the Copyright Board has also been merged in the Intellectual Property Appellate Board.

- (iii) The Patent Rules, 2003 and the Trademark Rules, 2002 have been amended whereby the IP processes have been re-engineered to streamline them and make them more user-friendly.
- (iv) Manpower in the Intellectual Property offices has been augmented significantly through creation of new posts. Recruitment has been completed for 459 posts of Examiners of Patents and Designs, in addition to the earlier 130. The number of Examiners of Trademarks and Geographical Indications has also been augmented through 59 examiners on regular basis in addition to the existing 63, as also 84 examiners on contract. This augmentation of manpower has already had a salutary effect on the examination and disposal of patent and trademark applications.
- (v) An IPR enforcement handbook has also been prepared, which is a ready reckoner for police officials across the country in dealing with IP crimes of counterfeiting and piracy.
- (vi) Special provisions have been made for startups and MSMEs.

(c) & (d): Government has taken various steps to build an eco-system for innovation in the country and thereby encourage the innovation-based industry in India. Programmes like Atal Innovation Mission and Startup India have been undertaken that encourage innovation and entrepreneurship. Necessary safeguards and controls are put in place as per the provisions in law and changes are made, as required, in public interest.

(e): India has a Trade Related Aspects of Intellectual Property Rights (TRIPS) compliant, robust, equitable and dynamic Intellectual Property Rights (IPR) regime. India has a well-established legislative, administrative and judicial framework to safeguard IPRs, which meets its international obligations while utilizing the flexibilities provided in the international regime to address its developmental concerns. As per TRIPS, to which India is a signatory, each Member has to accord to the nationals of other Members no less favourable than that it accords to its own nationals with regard to the protection of intellectual property, subject to certain exceptions.
