



INTELLECTUAL PROPERTY RIGHTS REGIME IN INDIA: GOVERNMENT POLICIES & PRACTICES

-Prathiba M. Singh, Senior Advocate

TIMELINE

- IP Think Tank constituted by the Government in October, 2014
- The government released the first draft of the policy on 19th December, 2014
- Think Tank held extensive consultations and received comments from around 300 stakeholders/delegations
- Think Tank submitted the final draft on 18th April, 2015
- Final IPR policy approved by the cabinet on 12th May, 2016

IP Policy - Recommendations



September 2014 – Think tank constituted

First draft – December 2014

Comments – More than 500

Consultations – More than 60 delegations

Final draft – April 2015

Circulated to Ministries

Government has to take further steps to finalise and release the Policy – Media reports – final stages

IP Policy - Recommendations



To create one Nodal Ministry to oversee IP

To give autonomy to the IPO

IP awareness on a broad basis including in schools, colleges & initiatives recommended

IP audits to be carried out

Public funding to be linked to creation of IP

Enactment of laws for trade secrets and utility models

Effective systems for Data protection – not extending to Data exclusivity

IP Policy - Recommendations



Enhance international and bilateral cooperation

Establish the IP Promotion and Development Council and Units under it – a platform for IP owners and Users – for commercialisation of IP

Valuation of IP rights and monetisation thereof

Multi-agency task force for strengthening enforcement and intelligence-sharing

IP Policy - Recommendations



Create a IP – friendly environment – Government has tied up with WIPO

Setting regional benches of IPAB - (High Court order dated 4th March 2015)

Strengthen human capital in IP – various skill sets required. Training of patent agents etc.,

India & IP

India's tryst with IP is a combination of two major factors:

- External expectations
- Internal demands

This is a CHALLENGE.

India has tried to strike a BALANCE, over the years.

Trade marks

India has walked the extra mile.....



Trans border reputation

“Well-known marks”

Well-known remedies (Anton-Piller, Mareva etc.,)

Shape, colour marks registrable

Foreign use recognised as PRIOR USE.

On-line data available

On-line filing & Madrid Protocol



Statute is very modern

Very high level of protection

Broadcasting, internet webcasting, publishing, movie piracy, software etc., - strides have been made.

Legislature & Judicial decisions are proactive

Better implementation needs greater cooperation and training. It is a continuous process.

Designs

Online filings

Decisions are very progressive

Passing Off in designs recognised

Enforcement is on international lines

Patents



Aspirational

India wishes to promote innovation

Climate is being created

Several schemes by the Government

Start-Up India, Digital India – not just names – but an Aspiration

Patents



Steps taken:

IP Policy

Expedited examination of Patents

IPO being beefed up

Waivers for start-ups

IPAB – Delhi office estd in record time
period (March 2014 to Sept 2015)

Patents



Pro-patentee orders both in Pharma & SEPs

Commercial Courts Act, 2015

Court orders – both by SC and HCs – expedited trials

Criticisms of India



Another round of consultation before announcing IP Policy

Section 3(d)

Data exclusivity

Enforcement against Counterfeiting and Internet piracy

Undisclosed test data

Criticisms of India



- History of using compulsory licensing for commercial and non-emergency situations
- Poor application and enforcement of civil remedies and criminal penalties
- Patentability requirements outside international standards
- Not a contracting party to any of the major international IP treaties

COOPERATION IS KEY



Several recommendations of the Policy appear to have been implemented

- Courses in colleges
- Fee waivers
- Strengthening of IPO
- Commercial courts
- Tying up with WIPO

DIRECTION IS RIGHT



No CL granted

Most orders in patent cases are pro-patentee

High disposals in IP cases

Patent litigations have gone up at least 20 times

Shows the trust in the system

National IPR Policy- Overview

- Vision document to act as a catalyst to bring together strengths of the government, research and development organizations, educational institutions and corporate entities in the creation of an innovation-conducive environment
- Rationale lies in need to create awareness about the importance of IPRs as a marketable financial asset and economic tool
- Recognizes India has a TRIPS-compliant, robust, equitable and dynamic IPR regime
- Lays down seven objectives which are elaborated with steps to be undertaken by the identified ministry/department
- DIPP has been made the nodal point to coordinate, guide and oversee implementation and future development of IPRs in India

Vision & Mission Statement

VISION: *“An India where creativity and innovation are stimulated by intellectual property for the benefit of all; an India where intellectual property promoted advancement in science and technology, arts and culture, traditional knowledge and biodiversity resources, an India where knowledge is the main driver of development, and knowledge owned is transformed into knowledge shared. “*

MISSION: *Stimulate a dynamic, vibrant and balanced intellectual property rights system in India to:*

Foster creativity and innovation and thereby, promote entrepreneurship and enhance socio-economic and cultural development, and

Focus on enhancing access to healthcare, food security and environmental protection, among other sectors of vital social, economic and technological importance.

OBJECTIVE 1: IPR Awareness: Outreach and Promotion

- Aims to create public awareness about the economic, social and cultural benefits of IPRs among all sections of society
- Lays emphasis on need to propagate the value of transforming knowledge into IP assets

STEPS-

- Adopt the national slogan “**CREATIVE INDIA, INNOVATIVE INDIA**” and launch campaigns in association with initiatives such as ‘Make in India’, ‘Digital India’, ‘Start-up India’ and other future initiatives
- Study best practices and success stories in other countries to design and launch public outreach programs
- Awareness/ sensitization programs on IPR- organized by IPO as well as with industry associations, Chambers of commerce, academic institutions etc.
- National and international symposia/ seminar/workshops on IP - organized on a periodic basis for potential IP users.

Steps taken to implement Objective 1

- DIPP organised **IP AWAKE**: CII-DIPP road show on 'IPR and National IP Policy' to appraise people about the benefits to Start-up companies towards promoting IP filings. DIPP has planned to launch many such initiatives in the future
- Scheme initiated by DeitY – “Support IPR Awareness Workshops/Seminars”, for awareness about Intellectual Property Rights among various stakeholders especially in E&IT sector.
- DIPP published a discussion paper on SEP and their availability on FRAND terms with objective to sensitize the stakeholders, concerned organisations and citizens towards need and importance of regulating SEPs as well as facilitating their availability on FRAND terms.
- Scheme for facilitating, Start Ups Intellectual Property Protection (SIPP) launched:
 1. To facilitate IP creation within growing Indian start-ups ecosystem, the Government has launched several incentives including reduced official fees, filing and prosecution assistance by empanelled facilitators and expedited examination of patent applications.
 2. The SIPP scheme is envisaged to facilitate protection and promotion of Intellectual Property Rights of Start-Ups and thus encourage innovation and creativity among them.

Steps taken to implement Objective 1



- Scheme initiated by DeitY –“SIP-EIT” to provide financial support to MSMEs and Technology Startup units for international patent filing to encourage innovation and recognize the value and capabilities of global IP.
- CGPDTM has launched "**KIDS Nook**" taking IP awareness to the next generation with the release of Comics on General Intellectual Property, Patents, Designs & Trade Marks
- CIPAM is in talks with NCERT to incorporate IPRs as a part of school curriculum
- A number of business and law schools have started giving specialization courses on IP such as:
 - IIT Kharagpur Rajiv Gandhi School Of Intellectual Property Law- Three year LLB programme with specialization in Intellectual Property
 - WIPO-IGNOU One Year Post Graduate Masters in IP Diploma etc.

OBJECTIVE 2: GENERATION OF IPRs

Aims to tap the vast knowledge base in India spread over R&D institutions, enterprises, universities and technical institutions.

STEPS-

- Assessment and evaluation of potential in specific sectors by carrying out a comprehensive base line survey or IP audit across sectors
- Include IP creation as a key performance metric for public funded R&D entities as well as technology institutions
- Promote R&D through tax benefits
- Establish and strengthen IP facilitation centers as nodal points
- Creation of an effective and simple loan guarantee scheme to encourage Start-Ups
- Introduce support systems for MSMEs, Start-Ups and other grassroots innovators to reduce transaction costs relating to IP creation - 50% fee reduction for MSMEs

Steps taken to implement Objective 2

- Regulatory relaxations granted to Startups as per RBI notification dated June 23, 2016. These directions have been issued under Section 10(4), 11(1) of the FEMA, 1999(42 of 1999):
 - Start-ups allowed to receive foreign venture capital investment irrespective of the sector in which they operate
 - Simplification of the process of dealing with delayed reporting of foreign direct investment (FDI)-related transaction by building a penalty structure into the regulations itself
 - In case of transfer of ownership of a start-up enterprises, receipt of the consideration amount on a deferred basis as also enabling escrow arrangement or indemnity arrangement up to a period of 18 months permitted
- Real time status of IP applications with file wrappers and e-registers now open to public.
- The operationalization of the Madrid protocol for international protection of trademarks provides the user the facility of protecting his trademark in 90 countries by filing a single application in one language with one set of fees filed at the Trademarks Registry
- India participated in 30th Session of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore held from May 30 to June 3, 2016.



Steps taken to implement Objective 2

SUCCESS OF TKDL(Traditional Knowledge Digital Library)

- An effective deterrent against bio-piracy and is recognized as a global leader in the area of traditional knowledge protection.
- About 200 patent applications of the pharmaceutical companies of US, Great Britain, Spain, Italy, China etc. have either been set aside/ withdrawn/ amended, based on the Prior art evidences present in the TKDL database without any cost and in few weeks/months time. Similar outcome is expected in about 1200 more cases, where TKDL has filed pre-grant opposition.
- Pre-grant oppositions filed at various International Patent Offices, along with prior-art evidences from TKDL.
- As per the approval of Cabinet Committee on Economic Affairs, access of TKDL is available to nine International Patent Offices(European Patent Office, United State Patent & Trademark Office, Japan Patent Office, United Kingdom Patent Office, Canadian Intellectual Property Office, German Patent Office, Intellectual Property Australia, Indian Patent Office and Chile Patent Office), under TKDL Access (Non-disclosure) Agreement. Negotiations are under way to conclude the Access Agreement with Intellectual Property Office of Russia and Malaysia.

Start-Up India

- Start-Ups Intellectual Property Protection Scheme (SIPP) for Facilitating IPRs launched on 16th January 2016
- Envisaged to facilitate protection of patents, trademarks and design of innovative and interested startups. Aims at fostering entrepreneurship and promoting innovation by creating an ecosystem that is conducive for growth of Start-ups
- The Patent Rules have been amended to include startups as an applicant for filing a patent application. The amended rules (2fb) define a “start-up” as a new company/LLP/a registered Partnership firm that:
 - is incorporated/founded not more than 5 years back,
 - does not have a turnover of more than INR 25 crores in any financial year, during the past 5 years, and
 - is working towards innovation, development, deployment or commercialization of new products, processes or services driven by technology or intellectual property (this activity has been clarified to be creation or addition of value for customers or workflow)
- A startup would be required to pay official fee equivalent to that of a natural person
- DIPP has recognised as many as 180 entities as Startups (as on 19th July 2016)



Start-Up India-Appointment of Facilitators

- Under the SIPP, a team of facilitators have been appointed by the DIPP to assist start-ups in advising, filing & disposal of IP registrations- till date, 281 individual and 2 organizational patent and design facilitators & 215 trademark facilitators have been empanelled
- Any registered patent agent, registered Trademarks agent, Advocate or Government department/organisations/agencies like TIFAC, NRDC etc. – can be a Facilitator
- The professional fee of the facilitators shall be borne by the government

OBJECTIVE 3- LEGAL AND LEGISLATIVE FRAMEWORK

Aims to establish a strong and effective system of IPR laws to balance the interest of right owners with larger public interest. The existing laws which are TRIPS compliant provide a stable and effective legal framework for protection and promotion of IPR.

STEPS-

- Review, update and improve the existing IPR laws in consultation with all stakeholders.
- Engage constructively in negotiation of international treaties and agreements
- Suitably amend Indian Cinematography Act, 1952 in order to provide for penal provisions for illegal duplication of films
- Identify important areas of study and research for future policy development such as interface of IP with competition law and policy etc.
- Examine the issues of technology transfer, know-how and licensing relating to SEPs on FRAND terms and provide suitable legal framework to address the same
- Enactment of the The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2016

OBJECTIVE 4-ADMINISTRATION AND MANAGEMENT

Aims towards a service oriented regime at IPOs, including steps to fix and adhere to timelines for disposal of IPR applications along with the need to increase the manpower.

STEPS-

- The institution of Controller General of Patents, Designs and Trademarks re-designated as Controller General of Intellectual Property Rights
- Complete processing of patents and trademarks applications through a single central server at IPO, Delhi to maintain intra-office connectivity and increase coordination in IP offices in India and other countries
- Restructure, upgrade and modernize IPOs and ICT infrastructure to accelerate e-filings, e-processing and other e-services allowing facilities of credit and debit card and internet banking
- Include TKDL as a part of PCT minimum documentation
- Create a Cell for IPR Promotion and Management(CIPAM) under the aegis of DIPP to facilitate promotion, creation and commercialization of IP assets
- Administration of the Copyright Act, 1957 and Semiconductor Integrated Circuits Layout-Design Act 2000 to be brought under the aegis of DIPP.
- An additional 1033 plan posts have been created, including 666 posts for Patents & Designs and 367 posts for Trademarks and GI at various levels

Steps taken to implement Objective 4 - Patents (Amendment) Rules 2016

- Patents (Amendment) Rules 2016 and Expedited examination for patents thereunder notified on 16th May 2016
- As per Rule 24B(5) and 24B(6), the time for putting an application in order for grant in cases where First statement of objections has been issued by the Patent Office on or after 16th May 2016 has been reduced to six months from the date on which the first statement of objections is issued
- As per Rule 24(B)(6), such time period may further be extended to a maximum period of three months on a request for extension of time
- The time for putting an application in order for grant where the First statement of objections has been issued before 16th May 2016 shall remain 12 months from the date on which the first statement of objections is issued

Steps taken to implement Objective 4 - Patents (Amendment) Rules 2016

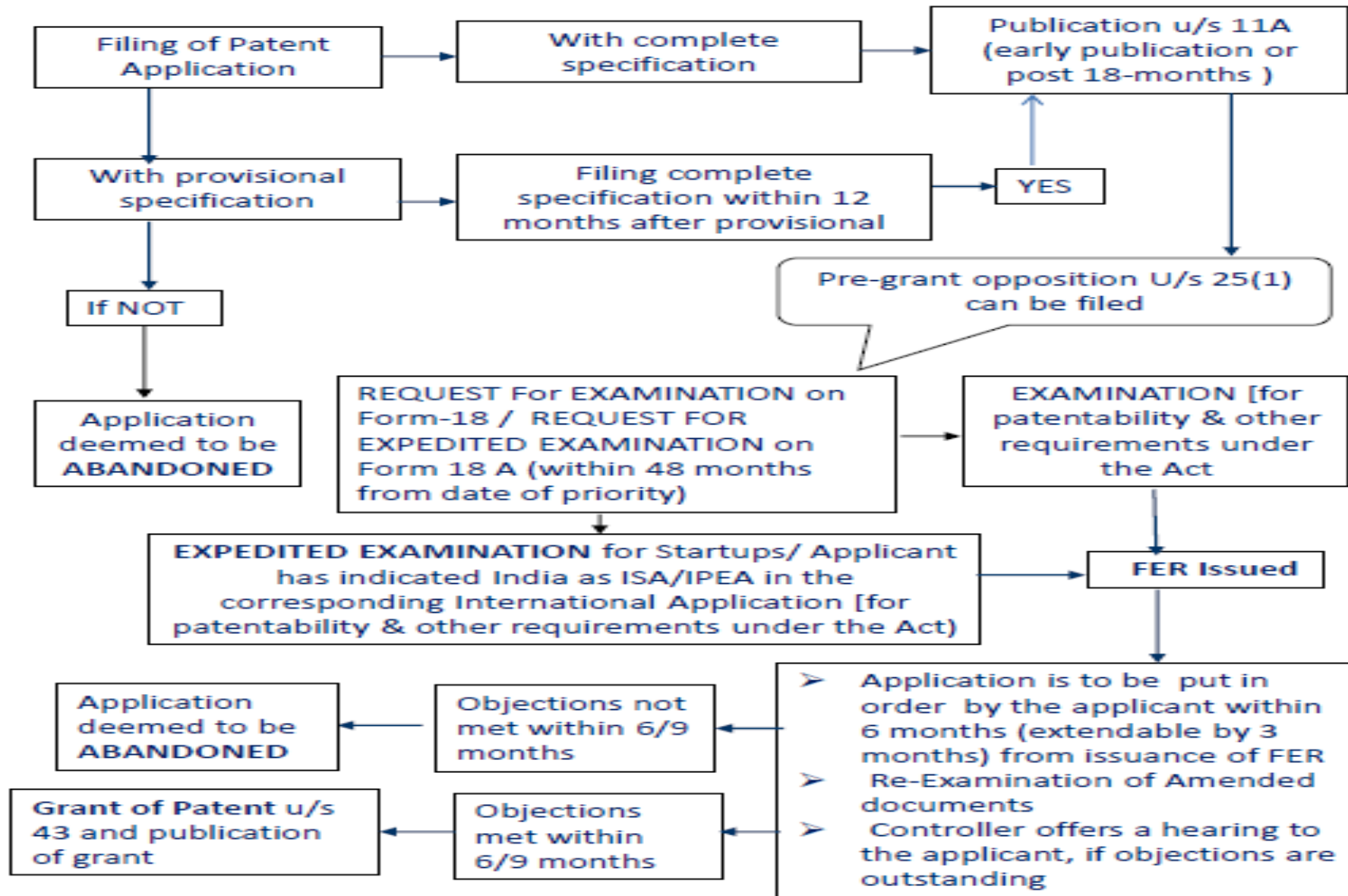
- Recruitment of more than 450 examiners out of which 300+ have already been recruited and the remaining are undergoing training
- With the introduction of The Patents (Amendment) Rules 2016, Patent Office has promoted complete digitization of Patent filings. As per the Rules, a patent agent shall file, leave, make or give all documents only by electronic transmission
- IP system embarked on its e-journey by introducing the complete electronic processing of Patents and Trademarks applications. 10% reduction in examination fee when the applications for patent and other documents are filed through the electronic mode to encourage e-filings
- First FERs to be issued and sent electronically after auto-allotment(vide Order dated 31st March 2016)
- CGPDTM has launched “Indian Patent Advanced Search System (InPASS)”, having Full text patent search capability

Steps taken to implement Objective 4

Expedited Examinations under Patent(Amendment) Rules,2016

- Applicant wishing to expedite issuance of a First Examination Report can file a request with enhanced fee or by converting regular request for examination to expedited examination, by paying the balance fee (Rule 24C)
- Grounds to be fulfilled:
 - (a) Indicate Indian Patent Office as the ISA and/ or IPEA; OR
 - (b) Applicant is a startup
- Amended rules mandate the Controller to issue FER within 105 days.
- Time for putting an application in order for grant shall be six months(which may be further extended by 3 months) from the date on which the first statement of objections is issued to the applicant.
- These timelines not applicable in cases where pre-grant opposition is filed
- By way of public notice dated 14th June 2016, the Patent office has capped the number of requests to be received (prior to 31st December 2016) under Rule 24C(13) at 1000

Updated Procedure



Steps taken to implement Objective 4

- Under the amended rules, hearings can be conducted through video-conferencing or audio-visual communication devices.
- Upto a maximum of two adjournments may be availed now, with each adjournment limited for up to 30 days (Rule 129A)
- Adjournment sought by the applicant would result in paying cost.
- The timeline for filing of written submissions, if any, have been fixed to 15 days from the date of hearing
- Amended Rules now allow a PCT filer to delete the claims at the national phase entry in India to reduce excess claim fees.
- An applicant can now claim a refund of up to 90% of examination fees, if it opts to withdraw the application before the issuance of the First Examination Report.
- In case of pre-grant opposition, Controller is required provide speaking order ordinarily within one month of hearing (Amended Rule 55(5))
- 407 new Patent Agents have been appointed by the Patent Office.(January 2017)

Steps taken to implement Objective 4

New numbering system in the Patent Office

- IPO (vide Office order dated 31st December 2015) implemented a new numbering system for patent applications & Request for Examinations to attain uniformity in accessibility and processing by all IPOs in India.

- **Patent Applications:** New numbering system shall have 12 characters fixed length numeric standard Patent Application format

Format: YYYYJTNNNNNN (where: “YYYY” denotes year of filing, “J” denotes jurisdiction, “T” denotes “Type of application” & “NNNNNN” denotes fixed length continuous serial number applicable for all patent offices)

- Similar procedure for Request for Examination u/r 24B(1)(i)

International Patent Search – ISA & IPEA in India

- The Indian Patent Office was recognised as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) w.e.f. 15th October 2013
- The designation will subsist till 2017, unless terminated in accordance with the agreement
- The official language for the search will be English
- The Indian Patent Office will have to continue to meet the minimum requirements (of man force and documentation) till then, per Article 16(3)(c)
- This is a major advancement for the Indian Patent Office and makes it easier and more convenient for any international application routed through India to the PCT and will encourage international applications from inventors

Steps taken to implement Objective 4

- The Trademark Registry's website facilitates the applicant with the complete process from filing till maintaining the registrations of marks electronically
- Trademark Index is available online and all marks whether pending, advertised, registered, and abandoned or withdrawn can be searched using online system, free of cost.
- The Trademarks office has recruited 203 new Trademark Agents (15th March 2016)
- The Delhi Trade Mark Registry (in collaboration with Delhi State Legal Services Authority (DSLISA)) has decided to undertake a project, whereby 500 pending oppositions/rectifications will be referred to mediation/conciliation based on consent by the parties involved (Standard Operating Protocol published on 12th May 2016)
- On May 13, 2016, Ministry of AYUSH, Government of India and the World Health Organization (WHO) signed an historic Project Collaboration Agreement (PCA) for cooperation on promoting the quality, safety and effectiveness of service provision in traditional and complementary medicine

Bulk Abandonment of Trademark Applications

Intellectual Property Attorneys Association v. The Controller General of Patents, Designs and Trade Marks

- In order to expedite the process of registration, applications where no reply had been received to the examination report, were treated as abandoned.
- A writ was filed against the arbitrary action on part of the Respondent in abandoning around 194,000 pending applications during the period of 20th March, 2016 and 4th April, 2016 without issuing any notices to the effected parties or their counsels or providing any reasons for abandonment
- The Delhi High Court by its order dated 05th April 2016 stayed the orders of abandonment passed by the Respondent on or after 20th March 2016 and directed the Respondents not to treat any trademark application as abandoned without proper notice being given to the effected party under the Trademarks Act
- As a result the Trademark office (vide Public Notice dated 4th April 2016) decided to provide an opportunity to an applicant if his/her application had erroneously been treated as abandoned to send a representation along with substantial documentary proof



OBJECTIVE 5-COMMERCIALISATION OF IPR

- Creation of a public platform to function as a common database of IPR and provide greater connectivity between the creators, innovators and potential users.
- Take stock of existing IP funding by different departments and bodies of the Government like BIRAC, NRDC and TIFAC, and take measures to consolidate the same

STEPS-

- Constitute CIPAM to facilitate effective and synergetic working between various IP offices to promote, create and commercialize IP assets
- Promote licensing and technology transfer for IPR
- Promote use of FOSS along with adoption of open standards & examine the possibility of creating Indian standard operating environment
- Support financial aspects of IPR commercialization by facilitating investments in IPR providing support to the less empowered groups of IPR owners and creators, utilizing TADF for licensing or procuring patent technologies etc.



Steps taken to implement Objective 5

Start up India hub

- Operationalized on 1st April 2016 to resolve queries and provide handholding support to Startups
- Hub has resolved more than 13,500 queries received from Startups through telephone, email and Twitter
- Startup India to launch an interactive online learning and development module to educate Startups and aspiring entrepreneurs
- The Finance Act, 2016 has made provision for Startups to get income tax exemption for 3 years in a block of 5 years if they are incorporated between 1st April 2016 and 31st March 2019.
- As on date, one application has been approved for tax benefits. Others are to be reviewed in the upcoming Inter-Ministerial Board(IMB) Meetings
- To avail IPR-related benefits, a Startup would not be required to obtain a Certificate of Eligibility from the Inter-Ministerial Board. Only a certificate of recognition from the DPP would be suffice
- Tax exemption on investments above Fair Market Value have been introduced for investments made in Startups



Start up India hub



- Startups falling under the list of 36 “white” category industries have been exempted from all the applicable compliances under three Environment Laws viz. The Water(Prevention & Control of Pollution) Act, 1974; The Water (Prevention & Control of Pollution) Cess (Amendment) Act, 2003 and The Air Water(Prevention & Control of Pollution) Act, 1981
- Norms on prior experience and turnover for public procurement for micro and small enterprises have been relaxed and provisioned in the Procurement Policy of Ministry of MSME
- A ‘fund of funds’ of INR 10,000 crores has been established which is managed by the Small Industries Development Bank of India(SIDBI). The fund will, in turn, invest in Startups to attract private capital in the form of equity, quasi-equity, soft loans and other risk capital for startups.
- 7 proposals for Research parks, 16 proposals for Technology Business Incubators(TBIs) and 13 proposals for Startup centres have been recommended by the National Expert Advisory Committee (NEAC) formed by the MHRD which are to be implemented in the current fiscal year
- A module to recognize incubators has been launched to augment the existing list of incubators
- For effective implementation of the scheme, facilitators including government organizations like NRDC have been empanelled
- DIPP has written to the top 50 companies to support the initiative by setting up of new incubators or scale up existing incubators in collaboration with educational institutes
- DIPP has requested State Governments and Union Territories to set up Startup Hubs

OBJECTIVE 6-ENFORCEMENT AND ADJUDICATION

Build respect for IPR among the general public and to sensitize the inventors and creators of IP on measures for protection and enforcement of their rights.

STEPS-

- Educate the general public on the ills of counterfeit and pirated products
- Curb the manufacture and sale of misbranded, adulterated and spurious drugs
- Set up IP cells with State governments for curbing IP offences
- Provide assistance to smaller firms to protect their IPRs internationally
- Facilitate effective adjudication of IP disputes through-
 1. Commercial courts set up at appropriate levels
 2. Promoting ADRs in resolution of IP disputes

Steps taken to implement Objective 6

- Cable and internet piracy interdicted for movies, sports broadcasts etc., through several judicial orders followed by administrative steps (**Department of Electronics and Information Technology v. Star India Private Ltd., 2016 SCC OnLine Del 4160**)
- **Steps taken by the Government:**
- Significant state-level enforcement developments- establishment of India's first anti-piracy policy unit in Telangana and Andhra Pradesh's anti-piracy campaign
- Amendments contemplated to make unauthorised camcording of movies etc. illegal
- The Japan Institute for Promoting Invention and Innovation (JIPII) and the Overseas Human Resources and Industry Development Association(HIDA) has sought nomination of suitable candidates for three training programs being organised in the JPO for the financial year 2016 (Circular published on 6th May 2016)
- The chair of the BRICS IP Cooperation Programme for the year 2016 has been handed over to the INDIA, CGPD TM being the Chairman (14th July 2016)

Steps taken to implement Objective 6

Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007

- The Customs Act, 1962 prohibits import of those goods that infringed intellectual property
- The Rules came into existence to strengthen the statutory and executive guidelines provided for the protection of intellectual property rights at the borders.
- The Custom Authorities can suspend clearance of suspected goods if the Commissioner of Customs has a reason to believe that the imported goods are allegedly goods infringing intellectual property rights.
- The Department of Customs provides an exclusive website for online recording of intellectual property where online IP recordation database with their risk management division has made it easier and effective to communicate with officers dealing with imported cargo.

OBJECTIVE 7- HUMAN CAPITAL DEVELOPMENT

Research to be undertaken to enrich the process of policy, law, strategy development and international negotiations at the government and organizational levels and develop IPR expertise.

STEPS-

- Strengthen and empower RGNIIPM, Nagpur to conduct training for IPR professionals
- Strengthen IP Chairs in educational institutes of higher learning
- Introduce IP courses and modules in all major training institutes
- Strengthen existing IP cells and create new ones in various educational institutes
- Make IPR an integral part of the curriculum in all Institutions

Steps taken to implement Objective 7

- RGNIIPM is engaged in conducting free public IP awareness programs inside & outside the organisation (June, July 2016)
- The Ministry of Human Resource Development Under the scheme of Intellectual Property Education, Research and Public Outreach (IPERPO) has so far set up 18 IPR Chairs in various universities and institutes considering their potential for development and growth of IPR Education, Research and Training
- IP cells have been established in various institutions such as IISc, JNU etc. to harness the fullest potential of the Institutes in terms of innovation and IP productivity
- **National Innovation Council (NInC)** has been setup to discuss, analyse and help implement strategies for inclusive innovation in India and prepare a Roadmap for Innovation in 2010-2020
- The **India Innovation Portal** is an information aggregator and is intended to become a one stop resource on innovations in the country. The Portal has classified various innovation resources under Knowledge, News, Events, Media, and Directories and offers each user the power to personalise the portal to suits ones needs.

Atal Innovation Mission (AIM)

- AIM is Government's endeavour to serve as a platform for promotion of world-class Innovation Hubs, Grand Challenges, Start-up businesses and other self-employment activities, particularly in technology driven areas.
- The Atal Innovation Mission have two core functions:
- **Entrepreneurship promotion** through Self-Employment and Talent Utilization, wherein innovators would be supported and mentored to become successful entrepreneurs
- **Innovation promotion:** to provide a platform where innovative ideas are generated
- The guidelines for harnessing private sector expertise to set up incubators, annual grand challenge for innovative solutions to problems posed by industry and Government departments, annual grand challenge for incubators and establishments, annual grand challenge for incubators and establishments of tinkering labs have been formulated and published on **NITI Aayog's** and Startup India websites

The National Innovation Foundation (NIF)

- NIF has been set up by the Department of Science and Technology (DST) to make India innovative by documenting, adding value, protecting the intellectual property rights (IPR) of the contemporary unaided technological innovators as well as of outstanding traditional knowledge-holders and disseminating their innovations on commercial and non-commercial basis.
- NIF helps grassroots innovators and outstanding traditional knowledge holders get due recognition, respect and reward for their innovations
- With major contribution from the Honey Bee Network volunteers, NIF has pooled a database of over 225,000 technological ideas, innovations and traditional knowledge practices from over 585 districts of the country
- NIF has till date recognised 816 grassroots innovators and school students at the national level
- NIF(in collaboration with MIT) has also set up an augmented Fabrication Laboratory (Fab Lab) for product development and strengthening in-house research. NIF has filed over 743 patents and 38 plant varieties.
- Micro Venture Innovation Fund (MVIF) at NIF, with support from Small Industries Development Bank of India (SIDBI), has provided risk capital of more than Rs 3.84 crore to 193 projects

Suggestions

The policy document is fairly balanced. However, there is greater need to focus on implementation. Accordingly, it is suggested that:

- A strict time-bound review of the policy be undertaken, preferably after three years
- Each programme or activity under the plan of action be benchmarked with the best practices and parameters applicable to the Indian situation
- Steps be taken to reduce the pendency of cases in the IP office. The government should further take steps to reduce the attrition rate in the IP office

The End!

