

NATIONAL IPR POLICY

Relevant for: Science & Technology | Topic: Issues relating to Intellectual Property Rights (IPRs)

Ministry of Commerce & Industry

National IPR Policy

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The National Intellectual Property Rights (IPR) Policy 2016 was adopted on 12.5.2016 as a vision document to guide future development of IPRs in the country. This has led to the following achievements:-

i. **Strengthening of Institutional Mechanism**

The administration of Copyright Act, 1957 and Semiconductor Integrated Circuits Layout-Design Act, 2000 has been transferred to Department of Industrial Policy and Promotion. This has enabled an integrated approach and synergy between different IP offices and Acts. Under the Finance Act 2017, the Copyright Board has also been merged with the Intellectual Property Appellate Board (IPAB).

ii. **Clearing Backlog/ Reducing Pendency**

Various steps undertaken by the Government, including augmentation of technical manpower, have resulted in drastic reduction in pendency in IP applications. The patent applications pending for examination have reduced from 1,97,934 as on 31.3.2016 to 1,39,274 as on 31.10.2018. As regards trademarks, the number has come down from 2,59,668 to 32,619 in the same period.

Automatic issuance of electronically generated patent and trademark certificates has been introduced.

iii. **Increase in Filings**

Patent filings have increased by nearly 7% in the first 8 months of 2018-19 vis-à-vis the corresponding period of 2017-18.

Trademark filings have increased by nearly 28% in this duration.

iv. **IP Process Re-engineering**

Patent Rules, 2003 has been amended to streamline processes and make them more user friendly.

Expedited Examination of patents is now permitted on certain grounds. In fact, the shortest time taken to grant a patent recently has been just 81 days from the filing of the request for examination.

Totally revamped Trade Marks Rules, 2017 have been notified on 6th March, 2017.

Nearly 200 international MoUs received from various Central Ministries/ Departments/ organizations have been vetted from IPR angle in time bound manner in the past 1 year.

India has acceded to the WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT), which extend coverage of copyright to the internet and digital environment.

v. Creating IPR Awareness

IPR Awareness programs have been conducted in over 200 academic institutions, including rural schools through satellite communication, and for industry, police, customs and judiciary.

vi. IPRs in School Syllabus

Content on IPRs has been included in the NCERT curriculum of Commerce stream.

vii. Technology and Innovation Support Centres (TISCs)

In conjunction with WIPO, 6 TISCs have been established in various institutions across different states.

viii. Global Innovation Index (GII)

India's rank in the GI Report issued by WIPO has improved from 81st in 2015 to 57th place in 2018.

ix. IPR Enforcement Toolkit for Police

A IPR Enforcement Toolkit have been prepared to assist police officials in dealing with IP crimes, in particular, Trademark counterfeiting and Copyright piracy.

While there is no specific scheme to establish IP Centres in all universities in India, State Governments have been approached to establish IPR Cells in various academic institutions; IPR Cells have been established in 41 universities across different States. In addition, 'Institution Innovation Councils' (IICs) have been set up in more than 1000 Higher Education Institutions (HEIs) through the Innovation Cell at AICTE under the Ministry of HRD.

Intellectual Property Rights (IPRs) are private rights which are applied for, and enforced, by the owner of the concerned IP. IP professionals from the relevant fields, including legal field, assist them in this regard. In particular, 2240 Patent agents and 702 Trademark agents have been registered under the relevant provisions of the Patents Act, 1970 and Trade Marks Act, 1999 respectively by the Controller General of Patents, Designs and Trademarks. Further, an advocate registered under the Advocates Act can directly work as Trademarks Attorney for filing/processing of trademarks applications.

This information was given by the Minister of State of Commerce and Industry, C. R. Chaudhary, in a written reply in the Lok Sabha.

MM/SB

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