



Approach to intellectual property rights in India

■ Rita Chopkar* and Ajit Mannade¹

Department of Genetics and Plant Breeding, Indira Gandhi Agriculture University, RAIPUR (C.G.) INDIA

¹Department of Plant Molecular Biology and Biotechnology, Indira Gandhi Agriculture University, RAIPUR (C.G.) INDIA

(Email: ritachopkar@gmail.com)

ARTICLE INFO :

Received : 23.12.2015

Accepted : 23.05.2016

KEY WORDS : Intellectual property rights, Patent, Copyright, Trademark, Geographical indication

HOW TO CITE THIS ARTICLE :

Chopkar, Rita and Mannade, Ajit (2016). Approach to intellectual property rights in India. *Adv. Res. J. Soc. Sci.*, 7 (1) : 129-135, DOI: 10.15740/HAS/ARJSS/7.1/129-135.

*Author for correspondence

INTRODUCTION

The Indian government has taken several initiatives to create a conducive environment for the protection of intellectual property rights of innovators and creators by bringing about changes at legislative and policy level. In addition, specific focus has been placed on improved service delivery by upgrading infrastructure, building capacity and using state-of-the-art technology in the functioning of intellectual property offices in the country. This measure has resulted in sweeping changes in IP administration within the country (Ramanna, 2003). One of the primary steps towards the development and evolution of the national IPR regime could be building the institutions and capacity in various fields related to the IPR area, such as, research and development, enterprise, industry, general administration, and judiciary. A harmonious, efficient and effective institutional mechanism for building capacity and trained human resource would be desirable so to derive full advantage of the Indian IPR regime. There are five central ministries/departments besides two national authorities that oversee the implementation of various IPR legislations in the country (Manchikanti and Mahasweta, 2011). The largest nodal point is the Intellectual Property India, administered by the Patent Office and controlled by the Ministry of

Commerce and Industry. The Protection of Plant Varieties and Farmers' Rights in the country is at a juvenile stage and requires building its institutional mechanism and capacity.

Why IPR need :

- Establishing a vibrant IP regime in the country.
- Efficient processing of IP applications by inducting additional manpower, augment IT facilities and automation in intellectual property offices.
- Adopt best practices in IP processing.
- Strengthening public delivery of IP services.
- Highest levels of transparency and user-friendliness.

Benefits of Indian IPR :

- The IPR framework in India is stable and well established from a legal, judicial and administrative point of view and is fully compliant with the Agreement on trade-related aspects of intellectual property rights.
- India is committed to wide range of international treaties and conventions relating to intellectual property rights.