

No.2/08/2015-IPR-III
Government of India
Ministry of Commerce and Industry
Department of Industrial Policy & Promotion

Udyog Bhawan, New Delhi,
Dated: .02.2015

To,

Ms. Nehaa Chaudhari,
Center for Internet and Society,
G-15, Hauz Khas,
New Delhi – 110016

Subject: RTI Applications (No. I) dated 02.02.2015 from Ms.Nehaa Chaudhari for seeking information in respect of the IPR Policy/IPR Think Tank.

Madam,

Please refer to your RTI Application dated 02.02.2015 received in this Division of this Department on 05.02.2015 on the subject cited above. The point-wise reply to your queries is as follows:-

Sl. No.	Queries	Reply from DIPP
1	Please indicate in detail the process followed by Department of Industrial Policy and Promotion for the constitution for an IPR Think Tank to draft the National Intellectual Property Rights Policy under Public Notice No.10 (22)/2013-IPR-III dated November 13, 2014.	This Department convened an interactive meeting on IPR issues on 22.09.2014 under the Chairmanship of the Minister for Commerce and Industry(Independent Charge) with a view to discuss the issues related to IPRs, including finalization of the Terms of Reference for IPR Think-Tank proposed to be established. In the said meeting, the representatives from various Ministries/Departments, Member of various Expert Committees constituted by the Department, besides IP experts and other Legal Practitioners, were invited. The composition of the IPR Think-Tank was decided on the basis of the discussions held in the department after the said interactive Meeting.

2.	If there was a meeting held to decide on the same, please include all necessary documents including the minutes of the meeting ,records, documents, memos, e-mails, opinion, advices, press releases, circulars, orders etc.in which the constitution of the aforesaid mentioned IPR Think Tank was decided.	The minutes of the meeting is enclosed. It is evident from the minutes of the meeting held on 22.09.2014; the participants present in the meeting were invited to express views on the various IP issues of the meeting and no documents/papers were circulated during the meeting.
3	If there were multiple meetings held for the same please provide all necessary documents including the minutes of all such meetings, records, documents ,memos, e-mails, opinions, advices, press releases, circulars, orders etc. for all such meetings held.	No.
4	If a directive or directives were received by the Department of Industrial Policy and Promotion from any other government body to constitute such a think tank, please provide a copy of such a directive received by the DIPP from any Government authority, to constitute such a Think Tank	No.
5.	Please indicate in detail the process of shortlisting the members of the IPR Think Tank by the Department of Industrial Policy and Promotion or any other body that was responsible for the same	Same response as at serial no.1

2. In case you are not satisfied with the reply, you may prefer an appeal within 30 days from the date of receipt of this reply to the Appellate Authority, Smt.Subhra Singh, Joint Secretary, Department of Industrial Policy & Promotion on the above address.

Yours faithfully,

Chandni Raina
(Chandni Raina)
Director & CPIO
Ph: 23063596.

Copy for information to:
RTI Section,
Department of Industrial Policy & Promotion,
Ministry of Commerce & Industry,
Udyog Bhavan, New Delhi.

Minutes of the Interactive Meeting on IPR Issues held on 22.09.2014 at 4:00 PM in Conference Room No 47, UdyogBhawan, New Delhi.

An Interactive Meeting on IPR Issues with representatives of various Ministries/Departments, IP experts and legal practitioners was held under the Chairmanship of Smt Nirmala Sitharaman, Hon'ble Minister of State (Independent Charge) for Commerce and Industry on 22.09.2014 at 4:00 PM in Conference Room No 47, Udyog Bhawan, New Delhi. A list of participants is placed at **Annexure-I**.

2. At the outset, Shri Amitabh Kant, Secretary, Department of Industrial Policy and Promotion welcomed all the participants. Referring to the recent announcement made by the Hon'ble MoS(I/C) on formulation of the National IPR Policy and to establish 'IPR Think Tank', he stated that this meeting had been organized to discuss on various IPR issues with IP experts and legal practitioners so that it would provide essential inputs to the policy needs of the department. He said that the objective of this department is to have a world class IP system which includes a comprehensive National IPR Policy which takes care of various issues like IP creation, protection, administration and capacity building. He also said that it was necessary for government to interact on these important policy issues with IPR stakeholders and get their considered inputs.

3. In her opening remarks Hon'ble MoS (I/C) informed that the purpose of calling this meeting is to constitute an IP Think Tank that could regularly provide inputs to all IP policy needs of this department as well as advice government in disparate legal aspects. Hon'ble Minister said that it is imperative to have such interaction with IP experts and legal practitioners so that a comprehensive National IPR Policy, whose framework could address all aspects of IPRs, could be finalised. Hon'ble Minister emphasized the need of seeking the views and comments of all state governments also on the proposed National IPR Policy. Hon'ble Minister urged the participants to discuss 4 or 5 key areas in IP and based on their inputs the department could come out with a draft National IPR Policy in the next 90 days.

4. Thereafter, the participants were invited to express their views on the various IP issues of the meeting. After detailed deliberations, the following issues emerged during the above discussion:

- i. The proposal to constitute an IP Think Tank is a welcome step as similar initiatives already exist in Australia, South Korea, the UK and the US.
- ii. Indian courts have given many favourable judgments to foreign IP stakeholders and MNCs and these developments have to be highlighted to project strong IP enforcement in India. This could be done by bringing out

- papers containing analysis of these judgments which can ultimately remove misconceptions nursed by various foreign stakeholders about Indian IP regime including enforcement.
- iii. To bring out white papers on major IP issues to clarify the legal aspects and also
 - iv. There is a need to revise the law on Geographical indications.
 - v. The national policies on telecom, manufacturing and IPRs have to be integrated. The approach should be holistic with major focus on the national priorities and of the state government.
 - vi. The focal point of the National IPR Policy should also be on increase in creation of IP including commercialization of IP and strengthening human capital and IP management.
 - vii. The National IPR Policy should include protection of traditional knowledge and it should include guidelines on publicly funded research. Empirical studies have to be conducted on feasibility of introduction of Utility models.
5. In response to the above, Hon'ble MoS (I/C) opined that it is imperative to decide the areas and sub-areas to be covered under the proposed National IPR Policy. She enumerated 6 major areas emerged during the discussion namely, IP institution, legislation, implementation, public awareness, international aspects and barriers in IP growth. Hon'ble Minister requested all the participants to provide their comments on the framework of the National IPR Policy by 30th September 2014. Hon'ble Minister also proposed that another inter-ministerial meeting including IPR experts and legal practitioners would be held to discuss the framework on the proposed National IPR Policy around 10th October, 2014.
6. The meeting concluded with vote of thanks to the Chair.

Annexure-I

Interactive Meeting on IPR Issues held on 22.09.2014 at 4:00 PM in
Conference Room No 47, UdyogBhawan, New Delhi

List of Participants

Sl. No.	Name and Designation	Department
1.	Hon'ble CIM	In Chair
2.	Sh. Amitabh Kant, Secretary	DIPP
3.	Sh. Rajiv Kher, Secretary	D/o Commerce
4.	Sh. Charanjeet Singh, Joint Secretary	MEA
5.	Sh. Jitender Sharma, Joint Secretary	Dept. of AYUSH
6.	Sh. G. R. Raghavender, Director	DIPP
7.	Smt. Neeti Sarkar, Director	M/o I&B
8.	Smt. Aparna Sharma, Director	Copyright Division, Department of Higher Education, MHRD
9.	Sh. Nitin K. Jain, Scientist 'E'	DBT, M/o Science and Technology
10.	Smt. M. Veena, Director	Department of Pharmaceutical
11.	Sh. Raj Kumar, U.S.	Deptt. Of Pharmaceutical
12.	Dr. PC Maithani, Director	NRE
13.	Sh. Bramna Kumar, DS(MER)	MEA
14.	Smt. Geeta Kathpalia, Scientist 'G'	Deity, MCIT
15.	Sh. Avinash Kumar, Additional Director	DRDO ✓
16.	Dr. Ghazala Javed, Scientist IV	D/o AYUSH
17.	Sh. B.P. Singh, Deputy controller of P&D	O/o CGPDTM
18.	Sh. D.N. Pandey, Sr. Eco.	M/o Culture
19.	Sh. R.S. Chopra	ANSI, BEML
20.	Dr. Raj Hirwani	CSIR
21.	Mr. N. Sabharwal	Chair, FICCI-IPR Committee Member, Sectoral Innovation Council on IPR
22.	Advocate Pratibha Singh, Senior Advocate,	Singh & Singh
23.	Mr. R. Saha, Former Director,	TIFAC and senior Advisor, CII

24.	Ms. Punita Bhargawa,	Inventure IP
25.	Dr. Unnat Pandit,	Cadila Pharmaceuticals Ltd.,
26.	Mr. Rajeev Srinivasan,	Director, Asian School of Business, Trivendrum
27.	Dr. Lisa P. Lukose, Assistant Professor,	Indian Law Institute
28.	Ms. Latha R. Nair, Partner,	M/s. K&S Partners,
29.	Ms. Gayatri Roy, Partner,	M/s. Luthra & Luthra
30.	Prof. Prabuddh Ganguly, IPR Chair Professor	MHRD IPR Chair Professor ✓ Tezpur University, Assam
31.	Mr. YogeshPai, Assistant Professor,	Assistant Professor of Law ✓ National Law University
32.	Prof. V. Vivekanandan,	Dr.V.C.Vivekanandan Ministry of HRD IP Chair Professor National Academy of Legal Studies & Research University (NALSAR)
33.	Dr. T. Ramakrishna,	Professor of Law, Ministry of HRD Chair on IPR, National Law University
34.	Dr. Feroz Ali Khader,	Ministry of HRD IPR Chair Professor Dept. of Management Studies Indian Institute of Technology Madras
35.	Shri Rajendra Kumar	Advocate, K&S Partners ✓
36.	Ms Latha Nair	Advocate, K&S Partners