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New Intellectual Property Rights Policy of India- will become law changer?

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On 12th day of May 2016, The Union Cabinet of India approved the National Intellectual Property Rights (IPR) Policy that is expected to game changer committeemen for business and will also lay the future roadmap for IPRs in India according to world leaders. The ambitious policy recognises the abundance of creative and innovative energies that flow in India, and the need to tap into and channelize these energies towards a better and brighter future for all.

The policy was lay down in to seven objective. Briefly they are¹:

1. IPR Awareness: Outreach and Promoion
2. Generaion of IPRs
3. Legal and Legislaive Framework
4. Administraion and Management
5. Commercializaion of IPR
6. Enforcement and Adjudicaion
7. Human Capital Development

ABSTRACT:

The New Intellectual Property Rights policy was announced by the Government of India in year 2016. This policy lays out the future roadmap for Intellectual Property Rights in India. It envisages to provide a comprehensive framework for Intellectual Property Rights by reviewing existing laws related to Intellectual property and updating or improving them wherever required. After few legal cases the internation business market seek to have change in perticular act that may boost indian business further. So question arises whether these policies will remain addressing exhising law or will it be law changer in future.

KEY WORDS: IPR, policy, India.

The policy is framed so nicely to cover all major lacking era of sustain and empowers entrepreneurship to boost indian business. The policy is praised all over the globe but will it address the change in law that will attract international community in future?

There are certain cases based on which the Indian IP law have been questioned globally in particularity Section 3(d) (Case: Novartis AG stopped by supreme court for patent of an improved version of its anti-cancer drug Glivec) and section 84 (Case: Bayer-German pharmaceutical company vs Natco-an Indian Pharmaceutical company) of the Patent Act.

With the new industrial promotion policies the eyes were set on the patent act with expatiation of change in those 2 section. Further act also need to improve in computer-related inventions (CRI) and new forms and uses of bio-pharmaceutical products, Change of copyright laws,regulatory data protection; and appropriate civil and criminal remedies for IP infringement to provide a

deterrent-level of enforcement. US Trade representative 'Special 301 program' also placed India on a priority watch list for inadequate IPR protection.

Till date It has to be noted that no changes have been made in the Indian patents Act, 1970. The policy has become bless for grass root innovator in india but International market particularly pharmaceutical companies have been putting pressure on India to make amendments in the Act.

Indian government has resisted the pressure to amend the Act by reiterating that it is in compliance with the TRIPS agreement of WTO.

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- 1 Department of industry policy and promotion, India <http://dipp.nic.in/policies-rules-and-acts/policies/national-ipr-policy>

