

India revamps intellectual property policy in face of western anger

India is hiring 1,000 officials for its patent offices and has vowed to clear the backlog of all pending applications over the next 18 months as it seeks to defend itself against western allegations that it tramples on companies' intellectual property rights.

The new administration of Narendra Modi, prime minister, also plans to unveil a comprehensive new intellectual property rights policy that officials said would be released on the internet for public comment within the next four months.

India's overstrained patent and copyright bureaucracy has failed to keep pace with growing international interest and technological developments. Over the past seven years, the country's patent administration has ruled on less than a third of the 289,571 patent applications it has received, resulting in a pending backlog of more than 198,500 cases. "India needs to aggressively tell the world that we believe in intellectual property rights," Amitabh Kant, secretary of the commerce and industry ministry, said on Monday.



"We need a well-established framework for IPR and we'll open it for public debate and discussion." Nirmala Sitharaman, commerce and industry minister said India would lay out an intellectual property policy framework that would include measures for protecting India's historical and cultural legacy and its more recent scientific advancements.

She said the government would also create a special think-tank that would advise and monitor on global intellectual property issues and developments. "Intellectual property issues have been hanging in the air a long time," she said. "We want our national interest to be protected."

India has long been on the US special priority watch list of countries Washington accuses of failing to offer sufficient protection for intellectual property rights. But in recent years, US business groups have grown even angrier over what they claim was the country's rising protectionism and deteriorating climate for intellectual property rights.

Western pharmaceutical companies such as US-based Pfizer and Switzerland's Novartis and Roche were infuriated when India's courts overturned, or rejected, several patents on costly cancer drugs, citing the country's high legal threshold for granting drug patents.

Western drug companies were also incensed by the previous Congress government's threats to issue compulsory licenses on several innovative patented drugs, which would

allow generic companies to make cheaper versions for the local market.

Hollywood film studios and western music companies complain about rampant piracy, including through the internet, while the International Chamber of Commerce in 2013 estimated the sale of counterfeit auto parts, alcoholic beverages, packaged foods, personal goods, mobile phones and tobacco products had led to losses of \$12bn to rights holders.

As Washington prepared its most recent report on the global intellectual property rights climate, US business groups had lobbied for India to be designated as a “priority foreign country”, Washington’s bureaucratic term for the world’s worst IPR offenders, which are subject to economic sanctions.

The US declined to downgrade India in the report, which was released in April, at the time of the parliamentary election that saw the Congress-led coalition ousted by Mr Modi and his Hindu nationalist Bharatiya Janata party.

However, Michael Froman, the US trade representative, warned Washington would conduct an in-depth review of India’s intellectual property rights climate in the autumn, after the new government was in place.