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Agenda for the meeting of the Sectoral Innovation Council on IPRs
to be held on September 13, 2013
Under the Chairmanship of Secretary, Department of Industrial Policy & Promotion

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| Agenda Item No. 1. | Consideration and finalization of the draft National IPR Strategy |
| Agenda Item No. 2 | Work Plan for 2013-15 under the National IPR Strategy |
| Agenda Item No. 3 | Suggestions of the members of the Sectoral Innovation Council on monetary and non monetary incentives for innovation |
| Agenda Item No. 3 | Other issues relating to the time period for renewal of the strategy and administrative matters concerning setting up of a committee to review the implementation of the strategy |

Agenda Item No. 1.

Consideration and finalization of the draft National IPR Strategy

As decided in the meeting of the Sectoral Innovation Council held on 30th April, 2013, the draft National IPR strategy document was circulated to all the concerned Ministries/Departments for further modifications and additions, if any. Besides this, 3 Inter Ministerial meetings were held on 28th May, 2013, 29th July and 31st August, 2013 with a view to seek inputs from concerned Ministries/Departments for improving the document.

Based on the inputs received, a revised draft was then circulated for further comments. This draft was also circulated to the Members of the SIC. This Department has, thereafter received no further comments. The members of the SIC may consider the draft document for approval.

Agenda Item No. 2

Work Plan for 2013-15 under the National IPR Strategy

The following activities have been identified by this Department for the next two years as part of the Work Plan under the National IPR Strategy:—

- a. To commission a study on various schemes/programs financed by Government of India including those under the PPP mode for encouraging innovation. (This is an essential information for developing linkages across activities and thereby have comprehensive view)
- b. Make efforts to sign and accede to the Marrakesh Treaty for facilitating access of published work to visually impaired persons and person with print disabilities.
- c. Efforts will also be made to accede to the NICE Agreement concerning international classification of goods and services for the purpose of registration of Trademarks.
- d. Assessment of the Hague Agreement concerning international registration of Industrial design will be made vis-à-vis India's Designs Act with a view to accede to the said treaty.
- e. Setting up of the Centre for IPR studies will be initiated in consultation with Department of Higher Education.
- f. Assessment of the possibility of accepting Patent Facilitation Centers run by universities/Academic Institutions and specialized departments such as Department of Science and Technology as 'Receiving Offices' for patent applications in cities where patent offices are not present will be carried out.
- g. A National Task Force on protection and enforcement of Intellectual Property Rights involving enforcement agencies in the State Government, concerned Departments in the Government of India and Industry chambers will be setup with term of reference as included in the IPR Strategy.

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h. The office of CGPDTM will be strengthened through restructuring of the organization and creation of posts.

The members of the Sectoral Innovation Council are requested to give comments on the outlined activities and also suggest any further modifications/or additions required.

Agenda Item No. 3 Suggestions of the members of the Sectoral Innovation Council on monetary and non monetary incentives for innovation

The SIC in its meeting on 30th April, 2013 had decided that the members will provide information on monetary and on monetary incentive for innovations. Suggestions on this are yet to be received.

The members of the Sectoral Innovation Council may like to suggest monetary and on monetary incentives for encouraging innovation which could then be incorporated in the work Plan under the IPR Strategy.

Agenda Item No. 4 Other issues relating to the time period for renewal of the National IPR Strategy and administrative matters concerning setting up of a committee to review the implementation of the strategy

The following are the other issues on which a decision needs to be taken:-

- a. Time period for review of the strategy
- b. Setting up of a Committee to review the implementation of the strategy

12/5/2011-IPR-III
Government of India
Ministry of Commerce and Industry
Department of Industrial Policy & Promotion
IPR-III Section

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Udyog Bhawan, New Delhi,
Dated: 17th October, 2013.

OFFICE MEMORANDUM

Subject: Minutes of the meeting of the Sectoral Innovation Council on IPRs held on 9th October, 2013 in the Department of Industrial Policy & Promotion.

The undersigned is directed to forward herewith the minutes of the meeting of the Sectoral Innovation Council on IPRs held on 9th October, 2013 in the Department of Industrial Policy & Promotion.

Sanjay Kumar Lal

(Sanjay Kumar Lal)
Under Secretary to the Govt. of India
Ph: 2306 2906.

Encl: As above.

To,

As per list attached.

Copy for information to:

PSO to SIPP, PPS to JS(DVP)

ISSUED WITH ENCL
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MEMBERS OF SECTORAL INNOVATION COUNCIL ON IPR

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6	Prof. Surendra Prasad, Director, IIT, Delhi, Hauz Khas, New Delhi - 110016, Ph: 26591701, 26582020, Fax: 26582659 Email: director@admin.iitd.ac.in Copy to Dr. Anil Wali, MD, FITT, e-mail: anilwali@fitt.iitd.ac.in / mdfitt@gmail.com	13	Shri N.K. Sabharwal, M-85, Greater Kailash - I, New Delhi - 48. Ph: 9560604333, 1146160540. Email: sabharwal.narendra@gmail.com
7	Dr. Anil K. Gupta, Executive Vice Chairman, National Innovation Foundation, P.O Box-15051, Vastrapur, Ahmedabad -380015, Ph: 79-26753501, 26732095, Fax: 79 - 26731903. Email: anilgb@gmail.com		

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**Minutes of the Meeting of the Sectoral Innovation Council on IPRs held on 9th
October 2013 at New Delhi**

The 5th Meeting of the Sectoral Innovation Council on IPRs (SIC) chaired by Secretary, Department of Industrial Policy and Promotion was held in his chamber on 9th October 2013.

2. List of participants who were present during the meeting is at Annexure 'A'. The list of members of the Sectoral Innovation Council on IPRs is at Annexure 'B'.
3. The agenda of the meeting was to discuss the draft National IPR strategy and to adopt it. Besides this the agenda also included finalization of the work plan for 2013-15 under the National IPR Strategy. Other issues such as the time period for renewal of the strategy was also to be discussed.
4. It was informed that the draft document on the National IPR strategy was first prepared by IIT Delhi. Thereafter on the basis of inputs provided by the members of the SIC, the document was further refined and was placed on the website of the Department for seeking comments of the stakeholders in September 2012. Subsequently a stakeholder level meeting was also held in November 2012. Following this and on the recommendation of the members of the SIC, several rounds of inter ministerial consultations were held to enable incorporation of the concerns of the various Ministries/Departments. The inputs received have been duly reflected in the draft strategy document and circulated to the members of the Sectoral Innovation Council for comments. The members were requested to provide specific parawise suggestions to the document.
5. After due deliberations and comments received on specific paras of the document, the following decisions were taken:-
 - i. The strategy document will be completely circumscribed by the provisions relevant in the extant IPR legislations. It was decided that para relating to the setting up of a National Intellectual Property Enforcement Task Force would need to be removed as the present IPR legislations do not provide for setting up of such a task force. In the absence of a legal mandate, the task force would not have the teeth to implement what it is envisaged for. In the same vein, it was also felt that the status of the Office of CGPDTM cannot be a matter of discussion in a strategy document, as that is more of a policy issue. Also, the paragraph relating to a formal legal regime for protection of trade secret would need to be removed as it was felt that there is protection already available under the contract law and a formal regime for trade secret protection would go beyond the mandate of a strategy document which is essentially for creating an eco system within an existing legal regime.
 - ii. It was agreed that statements mandating organizations to align their innovation strategies to the national requirements would need to be deleted as it is not only unimplementable but would also create misgivings among stakeholders.

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iii. It was also agreed that BHEL will prepare a paper on possible incentive mechanisms for promoting innovation.

iv. The members will provide textual contribution to the document within 10 days of the meeting to enable its finalization and also submit a response to the draft work plan prepared by the Department.

The meeting ended with a vote of thanks to the Chair.

List of the participants present during the meeting of Sectoral Innovation
Council on IPRs held on 9.10.2013

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1. Mr. Keerthi Laal, Consultant Lead, National Innovation Council
2. Dr. Praful Naik, Executive Director, Bilcare Research Ltd.
3. Dr. D.G. Shah, Secretary General, Indian Pharmaceutical Alliance
4. Dr. Anil Wali, Managing Director, Foundation for Innovation &
Technology Transfer, IIT, Delhi
5. Shri Alok Mathur, General Manager (Incharge), BHEL
6. Shri R. Krishnan, Director (HR), BHEL

BHEL's Suggestions on Draft of National IPR Strategy

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Sl No	Ref. (Draft NIPR Strategy)	Description of issue under discussion	BHEL's Suggestion
1.	28(V)	State support mechanism	Govt. should join for buying critical IPs in the areas identified as strategic at national level
2.	32	Organizations have to be encouraged to take long term view of R&D and necessary research investments to create not just strong self reliant technology portfolio, but acquire the scale to build strategic global positions.	It is vital to identify strategic areas at national level where self reliance is to be achieved. It is also essential to involve all concerned ministries for evolving suitable joint action plan for such identified R&D strategic area and Innovation strategies on aggregate basis.
3.	33	Large organizations, particularly those in strategic areas, it should be mandated to align their innovation strategies to National innovation system.	The technology transfer in respect of strategic areas identified at national level, should involve consortium of Indian Companies with both manufacturing as well as user industries to use the leverage for acquiring key technologies for these areas but with focus on pace of indigenization & self-reliance.
4.	44	On Patent side, pendency of more than 80000 applications	Minimum norms for granting a patent say maximum 3 years to be put in place.
5.	59	It is also being argued that Qualification requirement during tendering process should accord acceptance to indigenous products/ technology where heavy developments investments are incurred.	It is also considered necessary that: <ul style="list-style-type: none"> • The performance standards of Technology transfer/ equipments guaranteed during tender stage should be monitored by identified independent agencies for achieving the same. • The achievements of guaranteed performance committed at tender stage to be made mandatory along with deterrent penalties for non achievements. • The qualification norms for indigenously developed products should be relaxed by the concerned ministries/ regulatory authorities especially when these products are developed by large, reputed & established Industries.
6.	59	Out sourcing technical expertise in niche areas	Out sourcing of technical expertise and competencies as the key decision parameter in niche areas.
7.	60(3)	Provide facilities for valuation of IP assets, IP audit, Licensing, Contractual & Technology transfer avenues.	There should be certified agencies for IP Valuation which will facilitate acquisition of companies having niche IPs leading to consolidation of technology in identified strategic areas.