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Government of India
Ministry of Commerce and Industry
Department of Industrial Policy and Promotion
(IPR-III Section)

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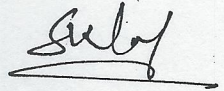
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Udyog Bhavan, New Delhi
Dated: 8th May, 2013.

OFFICE MEMORANDUM

Subject: Minutes of the Meeting of Sectoral Innovation Council on IPRs held on 30th April, 2013.

The undersigned is directed to forward herewith the minutes of the meeting of the **Sectoral Innovation Council on IPRs** held under the Chairmanship of Secretary, DIPP on the 30th April, 2013.



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

Encl: As above.

To

As per list attached.

Forward
with Encls & Email
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MEMBERS OF SECTORAL INNOVATION COUNCIL ON IPR

Sl. No.	Name and Address	Sl. No.	Name and Address
1	Dr. Praful Naik, Executive Director and Chief Scientific Officer, Bilcare Research Ltd.1028 Shirol, Rajgurunagar, Pune – 411016, Ph: 02135304200, Fax: 002135 224068. Email: mail@bilcare.com	8	Dr. Ranbir Singh, Vice Chancellor, National Law School, Sector-14, Dwarka, New Delhi -110078, Ph:28034993, 28034257. Email: vc@nludelhi.ac.in
2	Mr. B.P. Rao, CMD, BHEL, Jeevan Tara Building, 5 Sansad Marg, New Delhi -110001, Ph: 23365669, 23361498, Fax: 23342769, 23340981 Email: bprao@bhel.in	9	Dr. P.L. Gautam, Chairman, Plant Variety Protection and Farmers' Rights Authority, Ministry of Agriculture & Cooperation, NASC Complex, DPS Marg, Opp. Todapur Village, New Delhi -110012, Ph: 25848127, Fax; 25840478. Email: pl_gautam@yahoo.com
3	Mr. Soshil Kumar Jain, Chairman, Panacea Biotec Ltd., B-1 Extn./A-27, Mohan Co-op. Industrial Estate, Mathura Road, New Delhi -110044, Ph: 26945270, 26974500, Fax: 26940199, 41679081 Email: corporate@panacea-biotec.com	10	Prof. (Ms) Karuna Jain, MHRD IPR Chair Professor, IIT, Bombay, Powai, Mumbai -400076, Ph: 022-25767781, 25767785, Fax; 022-25722872, 25723480. Email: kjain@iitb.ac.in
4	Shri Karl Slym, MD, Indian Operations, Tata Motors Ltd., Bombay House, 24 Homi Mody Street, Mumbai -400001, Ph: 022-66658282, Fax: 66657799 Email: info.nagpur@nagpur.nic.org	11	Ms. Kalpana Awasthi, OSD to Shri Sam Pitroda, Adviser to PM on Public Information, Infrastructure and Innovation, Room No. 124, Planning Commission, Yojana Bhavan, Sansad Marg, New Delhi-110001, Ph: 23096622, Fax: 23096767. Email: kalpana.awasthi@nic.in
5	Shri D.G. Shah Secretary General, IPA Vision Consulting Group, 201 Darvesh Chamber, 743 P D Hinduja Road, Khar, Mumbai 400 052, Fax: 91-22-26000633. Email: prabhuram@gmail.com, dgshah@vision-india.com	12	Prof. Govardhan Mehta, National Research Professor and Elilly-Jubilant Chair, School of Chemistry, University of Hyderabad, Central University, P.O. Hyderabad – 500 046. Ph: +91-40-23134848 (off.), +91-80-23136145 (res.) Fax: 91-80-23010785. Email: gmehta43@gmail.com
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 30th
April, 2013 at New Delhi**

The meeting of the Sectoral Innovation Council on IPRs (SIC) chaired by Secretary, Department of Industrial Policy & Promotion was held in his chamber on 30th April, 2013.

2. List of participants who were present during the meeting is at Annexure-'A'. The list of the members of the Sectoral Innovation Council on IPRs is at Annexure-'B'. It was agreed that in future since members have been nominated by name, they may not send representatives and may instead provide their valuable views in the meeting.
3. The agenda of the meeting was to discuss the draft IPR strategy and the steps that need to be taken further. The members of the SIC were informed that the draft document on the National IPR strategy was prepared on the basis of earlier comments received from them and included specific inputs from Shri N.K. Sabharwal, former Deputy Director General, WIPO. It was also mentioned that a decision needs to be taken on the inclusion of an implementation framework for the strategy and the time period for which the strategy could be adopted. In this regard, the Japanese experience of an annual IPR strategy was also referred to.
4. Shri NK Sabharwal, in his intervention stated that the strategy document needs to be further refined on the basis of the seven pillars i.e. stimulating creation and generation of intellectual property rights; strengthening protection of IP and creation of new IP regime to address specific needs of the country; establishment of an efficient and cost effective IP administrative infrastructure; institutional capacity building and development of human capital; strengthening of an institutional set up to improve enforcement of IPRs; facilitating commercialization and integrating IP components of national sectoral policies and addressing global IP issues in international fora. He added that the strategy should have a comprehensive coverage by including

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Copyrights, Information Technology, Traditional Knowledge and Plant Variety Protection. He also added that the strategy could be reviewed every three years. He felt that a implementation framework could be prepared after the strategy document is finalized.

5. Prof Anil Gupta, felt that the strategy must at the outset acknowledge the contribution the unorganized sector makes to the innovation landscape in the country. He added that the role of institutions such as the National Innovation Foundation needs to be adequately reflected in the strategy document. Besides this, the strategy must place emphasis on the youth and their role in creativity. He introduced the idea of "technology commons", which he felt needed to be explored further with a view to enable access to technology at the individual level but the possibility of licensing out at the corporate level. Highlighting the initiative taken by the National Innovation Foundation in acquiring 70 patents, he said that these have been placed in public domain for use by entrepreneurs with the understanding that in case of windfall profits share would go back to the inventor. He also suggested that initiative creating a framework to allow placement of prior art search reports relating to a technology in public domain could play a role in pushing the technology frontier. According to him, incentives to sectors should be a function of the technology dynamism of the sector. He also suggested that patents on certain technologies such as green technology should be fast tracked.

6. Dr. Gautam Ghosh representing Mr. Sushil Kumar Jain, recommended the establishment of a utility model framework as a strategy to cover rural hinterland. He also suggested that unutilized patent should be brought to a common pool and be made available to those who might want to make use of it for commercial purpose. On the issue of incentivizing prior art search, he mentioned that universities with a high publication index must be selected and given incentive for conducting prior art search for specific technologies. He also added that UGC guidelines should be appropriately amended to ensure that doctoral programmes result in creation of intellectual property.

7. Dr. Anil Wali representing Prof Surendra Prasad, felt that steps could be taken to leverage the offset culture in improving the intellectual property. He also felt that both data analytics and utility model framework were essential for developing an innovation landscape.

8. Shri N.K. Sabharwal felt that the suggestions received from the members could be appropriately reflected in the pillars of the strategy paper. He however cautioned that while national law has policy space within the international law, it is important that the strategy so developed should not go beyond the international framework. On the issue of strengthening of IP Office, he mentioned that it was important for the IP offices to take on a service oriented role. He, however, expressed his apprehension about fast tracking of patent applications as he felt that it is often utilized by entities that are financially strong.

9. Secretary, DIPP was of the view that there is a need to be careful about utility model framework especially in the context of the higher threshold of inventive steps established in India's Patents Act, 1970 (as amended in 2005) through Section 3(d). He also mentioned that elements of discretion should as far as possible be removed from the strategy as they often lead to complexities in implementation. He added that the IPR strategy should aim at incentivizing innovation and felt that a system needs to be put in place to enable harnessing of creativity. In this regard, he felt that angel funding for start ups appeared to an essential factor for incentivizing innovation.

10. Following were the decisions of the Sectoral Innovation Council on IPRs:-

i. It was decided that the strategy document needs to be further improved and made comprehensive to cover IP issues relating to information technology, copyright, traditional knowledge, plant variety protection etc. It was agreed that the concerned Departments would be involved in the process by DIPP to enable further improvement in the document.

ii. It was also agreed that members of the Sectoral Innovation Council would suggest 10 incentives – monetary and/or non monetary - for harnessing creativity.

iii. BHEL to prepare a paper on schemes being implemented in the country for promoting innovation.

iv. The draft strategy paper would be circulated after it is improved upon and finalized with the approval of the members of the Sectoral Innovation Council. Thereafter, work plan for two years would be prepared with a view to operationalise components of the strategy.

**List of the participants present during the meeting of Sectoral Innovation Council
on IPRs held on 30.4.2013**

1. Dr. Praful Naik, Executive Director, Bilcare Research Ltd.
2. Dr. Anil K. Gupta, Executive Vice Chairman, National Innovation Foundation
3. Shri N.K. Sabharwal, former Deputy Director General, WIPO
4. Sh. O.P. Bhutani, Director (Engg. & R&D), BHEL
5. Dr. Anil Wali, Managing Director, Foundation for Innovation & Technology Transfer, IIT, Delhi
6. Mr. Gautam Ghosh, Vice President, Technology Management Group, Panacea Biotech