

Training Programme on Intellectual Property Rights and Related WTO Issues

Jaipur, May 25-29, 2009

Agenda>>

Report of the Proceedings>>

Feedback Analysis Report>>

1. Context

1.1 It is being increasingly acknowledged world over that competitiveness of an enterprise and its ability to capture the market depend largely on its ability to manage “internal” environment and develop innovative technologies. The development of new technologies and industries not only depend on the ingenuity of the scientists, engineers and others but also on investments, particularly, on research & development. The investment costs in research & development is also increasing rapidly along with the competitiveness. Under the circumstances, protection of the innovations resulting from R & D programs, gain greater importance in the modern times.

1.2 Intellectual property protection plays an important role in gaining advantageous position in the competitive game for economic growth. India enjoys a large asset of R&D personnel and infrastructure facilities. This applies equally to scientists and technologists working in various capacities in the Government of India. Scientists and technologist in the government department in India need awareness, information and facilities to protect their intellectual power.

1.3 Global rule making in the area of intellectual property was primarily in the domain of the World Intellectual Property Organization (WIPO) until a decade back. The Paris Convention (1967), the Berne Convention (1971), the Rome Convention (1961) and Washington Treaty (1989) of WIPO governed cross-border disciplines for intellectual property. While many countries have ratified these treaties, their implementation and enforcement left much to be desired. The emergence of the World Trade Organization (WTO) in 1995 and the inclusion of the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) under its *acquis* have obliged members to follow a set of uniform minimum standards in IPR protection.

1.4 The TRIPS Agreement has the objective of protecting and enforcing IPRs in order to contribute to the promotion of technological innovation and transfer and dissemination of technology to the mutual advantage of producers and users of technological knowledge in a manner, which is conducive to social and economic welfare and to a balance of rights and obligations. The universe of IPRs in the TRIPS Agreement comprises of copyright and related rights, trademarks, geographical indications, industrial designs, patents, lay out designs of integrated circuits and trade secrets. While scientists would benefit from an exposure to the basic rules pertaining to all these IPRs, patent and copyright protection is of particular relevance to their functions of innovation and applied research.

2. Objectives

2.1 This programme will be aimed to create awareness and understanding among scientists and technologists relating to intellectual property rights and the challenges and opportunities in this area of interest. It will facilitate understanding of the basic principles of multilateral trading system (MTS) enshrined in the WTO and a more detailed understanding of the trade rules that apply to IPRs under its TRIPS Agreement. It is hoped that this programme will prepare scientists and technologists in various government organizations to better face challenges arising out of globalization on the one hand and to enable them to exploit the opportunities that arise from the use of IPRs on the other hand. Following are the two specific objectives:

- To train scientists/technologist in various departments of the Government of India on the basics of IPR issues; and
- To enhance their skills by developing/strengthening capacity for taking effective steps to benefit from the IPR regime in India and in other parts of the world

3. Synopsis

3.1 The programme has duration of four working days and will be conducted by a faculty comprising of experts on WTO and IPRs available with CUTS. It would also include practitioners or other experts from outside CUTS. The programme will comprise of lectures, group discussions and case studies. It is intended for senior and middle level scientists. About 20 scientific and technical personnel working in Government Departments/Institutions/Organisations are expected to attend the programme.

3.2 The following major topics that will be covered under the programme:

- An Overview of the WTO
- An Overview of the WTO TRIPS Agreement
- Enforcement under the WTO TRIPS Agreement
- A Brief Overview of IPR Laws in India
- Patents in the WTO TRIPs Agreement and the Indian Law
- Patent Drafting and Filing and Grant
- Copyrights and Trademarks in the WTO TRIPs Agreement and the Indian Law
- Geographical Indications in the WTO TRIPs Agreement and the Indian Law
- Relationship of IPRs with Biotechnology
- Traditional Knowledge and Access and Benefit Sharing
- State –of-Play in the WTO negotiations on TRIPS Issues
- Emerging Areas such as Climate Change and Its Relationship with IPR Issues

3.3 The programme will be held in Jaipur. There will be no fees for participants accepted for the programme. The travel costs of the participants to Jaipur will be borne by the organisations sponsoring them.

4. Modules

1. An Overview of the WTO

This session will provide a brief overview of the basic contents of the WTO and the place of IPRs in the multilateral trading system

2. An Overview of the WTO TRIPs Agreement

Structure, contents and principles of the TRIPs Agreement will be explained in the session

3. Enforcement under the WTO TRIPs Agreement

This session will explain the requirements contained in the TRIPs Agreement relating to enforcement of IPRs at the national level

4. A Brief Overview of IPR Laws in India

Indian legislation relating to trademarks, industrial designs, geographical indications, layout designs of integrated circuits and trade secrets will be covered in this session

5. Patents in the WTO TRIPs Agreement and the Indian Law

An overview of provisions of the TRIPs Agreement and corresponding Indian legislation on patent and the protection of plant varieties and farmers' right

6. Patent Drafting and Filing

The conceptual and practical aspects of drafting and filing patents including drafting of descriptions and claims, compliance with procedural requirements and skills required while interacting with potential investors

7. Copyrights and Trademarks in the WTO TRIPs Agreement

Detailed exposition of the subject matter of protection, rights conferred, term of protection and exception and flexibilities available in the area of copyrights and patents would be covered in these sessions; comparative analysis of provisions in Indian law and in the WTO TRIPs Agreement; an overview of provisions in the WTO TRIPs Agreement and corresponding Indian legislation on trademarks

8. Geographical Indications in the WTO TRIPs Agreement

An overview of provisions in the WTO TRIPs Agreement and corresponding Indian legislation on geographical indications

9. Relationships between IPRs and Biotechnology

The importance of biotechnology and plant varieties protection given the demand for increase in agricultural productivity

10. State –of-Play in the WTO negotiations on TRIPS Issues

An overview of the negotiations under the Doha Development Agenda relating to the TRIPS Agreement and possible implications for the Indian IPR legislation

11. Climate Change and Its Relation with IPR Issues

To give an overview of possible emerging areas of work such as climate change and its relation with IPR and the future strategies related therein.

Who should attend

It is intended for senior and middle level scientists and technologists working with various ministries/departments/councils/institutes/research labs of Government of India.

Resource Persons

- Prabuddha Ganguli, Chief Executive Officer, VISION-IPR, Mumbai
- Rajeshwari Hariharan, K&S Partners, New Delhi
- Archana A. Jatkari, Assistant Policy Analyst, CUTS International
- Atul Kaushik, Adviser (Projects), CUTS International
- Pranav Kumar, Senior Trade Policy Adviser, British High Commission
- Sunita K Sreedharan, SKS Law Associates
- Aparna Shivpuri, CUTS International
- Joseph George, CUTS International

Venue

Hotel Golden Tulip, Nirwan Marg, Bani Park, Jaipur 302 016

APPLICATION FORM

***Training Programme on
Intellectual Property Rights (IPRs) and Related WTO Issues***

Jaipur, May 25-29, 2009

Name:

Designation:

Department:

Address:

Phone:

Fax:

Email:

Completed application form should be sent to CUTS not later than May 20, 2009



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