

Check Against Delivery



**Permanent Mission of India  
Geneva**

**India's Statement by H.E. Mr. Ajit Kumar, Ambassador/Permanent  
Representative of India to the United Nations Offices in Geneva, on  
the occasion of 55<sup>th</sup> Series of the Meetings of the Member States of  
WIPO**

**Mr. President,**

The delegation of India would like congratulate Your Excellency Ambassador Duque, on your election as the President of General Assembly. We believe in your dynamic leadership of this General Assembly and are also confident that you will skilfully guide the intensive deliberations, which would take place in the coming days.

We would also like to compliment Director General Mr. Francis Gurry and his able Chief of Staff and ADG Mr. Naresh Prasad who is also the Secretary to the Meetings of the WIPO Assemblies, and other members of his team, for their hard work and excellent preparation for organising the Assemblies.

We would also like to express our gratitude to the members of the Asian Group for their faith in India's role, as the Regional Coordinator.

**Mr. President**

Today, knowledge has become the fulcrum of development, as it replaces traditional resources as the source of competitive advantage for countries. Countries with feeble knowledge economy are bound to lag behind in this era of densely interconnected world of information networks.

A robust Intellectual Property regime provides the bedrock for innovation that is crucial to building the economy and aiding the development of any country. At the same time, we need to be conscious of

our role as welfare States in safeguarding and providing for the needs of not only our own citizens, but also of the entire world community. If I may daresay, with Intellectual Property Rights, come Intellectual Property Duties, and we have to remain fully conscious of both.

### **Mr. President**

India is committed to maintaining this delicate balance of promoting innovation, protecting Intellectual Property Rights and meet the developmental challenges by providing a well-balanced, TRIPS compliant and a purposeful IPR Regime. India has created a highly transparent, e-enabled, efficient and freely accessible to public IP ecosystem. The Government of India is committed to these advancements and improvements in our IT and other infrastructure, with the Hon. Prime Minister of India himself taking personal interest in speeding up disposal.

India is preparing a roadmap for the future through its National Intellectual Property Rights Policy. The National IPR Policy envisages IP as an integral part of India's overall development policy. This Policy will provide a secure and stable climate for stimulating inventions and creations. It will also augur well for research, trade, technology transfer and investment.

In order to strengthen the Indian IP administration, the Government of India has launched a project worth \$50 million for Modernisation and Strengthening of IP Offices. We are going in for a four-fold increase in the number of Patent Examiners, which will bring down pendency drastically.

One of the goals of these Intellectual Property Initiatives is to drive the "Make in India" Programme, a flagship programme aiming to facilitate investment, foster innovation, enhance skill development, protect intellectual property and build state-of-art manufacturing infrastructure.

I am also pleased to inform that the Indian Patent Office, which started functioning as International Searching Authority and International Preliminary Examining Authority two years ago, has already issued 734 Search Reports against 923 requests. India prides itself on providing quality reports at the lowest cost among patent offices.

India has shown enormous jump in filings under the Madrid protocol for international protection of trademarks. About 17000 international applications designating India have been received in India. We thank WIPO for registering the International Trademark of an Indian company as the 1.25 millionth mark under the Madrid System.

The creation of the Traditional Knowledge Digital Library (TKDL) has been a major achievement for India, a country with a vast pool of traditional knowledge. India has been able to partially prevent attempts to misappropriate its traditional knowledge with the help of this digital library, particularly with those countries that have included TKDL in their search. We hope that TKDL is made a part of PCT minimum documentation.

We, as policy makers, have a duty towards creating awareness in the masses, especially the new generation, about their IPRs. We have initiated a “Kids Nook” corner to inculcate the culture of IPRs in children through comics. It would be really heartening for WIPO to take up such awareness initiatives globally.

### **Mr. President**

Development of normative framework is one of the important functions of WIPO, and we look forward to more progress in this regard.

India is one of the cradles of human civilization with deep rooted traditions, rich ancient culture and prodigious bio-diversity. India looks forward to an early finalization of International legal instrument for effective protection of its Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources. India would like disclosure, prior informed consent and equitable access and benefit sharing to be included in the international instruments concerning IPRs.

India also notes the encouraging progress made in the Standing Committee on Law of Trademarks, Design and Geographical Indications, in respect of the negotiations on the Design Law Treaty. National level flexibilities are essential and should be allowed under this treaty. India is ready to engage on the issue with an open mind.

India reiterates its support for a treaty on protection of broadcasting organisations based on ‘the signal based approach in traditional sense’

consistent with the mandate of 2007 General Assembly. However, the issue of 'rights based approach' to protect broadcasting organizations and also inclusion of any elements of webcasting and simulcasting needs further discussion and exchange of ideas.

**Mr. President**

India was the first country to ratify the 'Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled'. We hope that we will reach the target of depositing 20 instruments of ratification by the eligible parties soon, so that Marrakesh Treaty could enter into force. Marrakesh Treaty is one treaty which should make all WIPO member States proud.

We believe that it is the right time to gradually expand the network of external offices in order to further develop the global IP system. We feel that there should be clear guidelines for setting up such offices. This will ensure transparency in the procedure and final selection. I assure all assistance from India in this regard.

I would like to raise an area of concern; IPR negotiations are being brought into the bilateral, regional trading agreements and other plurilateral processes. The stated objective of these negotiations is to seek protection and enforcement of IP rights beyond the provision of TRIPS. It is an attempt to subvert accepted global IP norms and bypass WIPO's mandate. Such misplaced IPR activism is beyond the scope of international legal obligations and is not acceptable to India. These ongoing negotiations are against the spirit of multilateralism and is likely to have deleterious effect on multilateral institutions like WIPO.

**Mr. President,**

We also acknowledge the commendable role played by Comptroller and Auditor General of India as an external auditor of WIPO for the financial year 2014. They will be presenting a detailed report on the financial statements of the WIPO later during the Assembly. We note that there are several useful recommendations.

We commend the WIPO management as well, for their positive response to the recommendations made by the External Auditors and measures taken by them for improvements in different areas.

### **Mr. President**

We are happy that several steps have been taken by WIPO Member States as also by the Director-General and his team to ensure greater development orientation in WIPO's work and mainstreaming of the Development Agenda. We look forward to the effective monitoring mechanism that is being developed in this regard.

We convey our sincere thanks to WIPO for giving us the opportunity to showcase the registered Geographical Indications of India. GIs can generate tremendous business opportunities across the globe, given the reputation and quality that they carry. I have the honour to invite all the distinguished delegates on this occasion.

Before I conclude, I would once again like to thank the WIPO Secretariat for the excellent documentation and arrangements for this Assembly. I am confident that the present session will enable intensive deliberations and play a positive role in guiding WIPO's work, including the approving of the budget for biennial 2016/17. The Indian delegation looks forward to actively participating and contributing to the deliberations during this General Assembly.

I thank you, Mr. President.

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