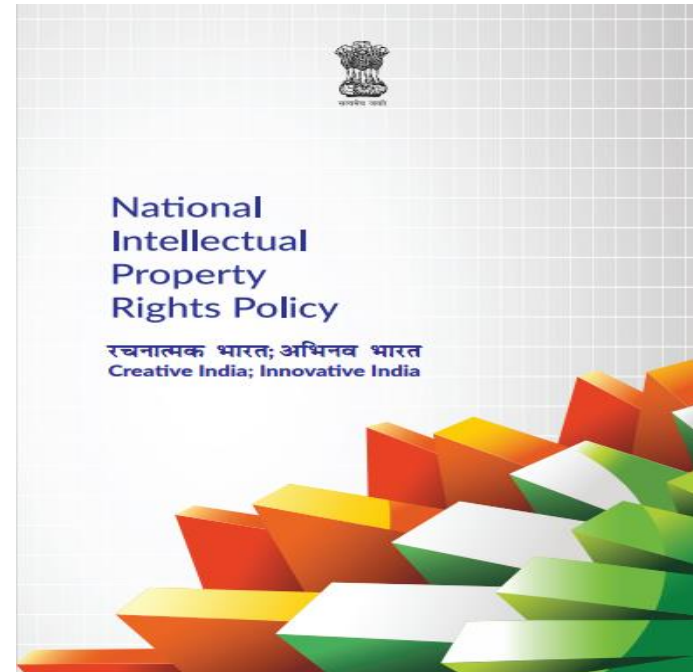


**Challenges:**

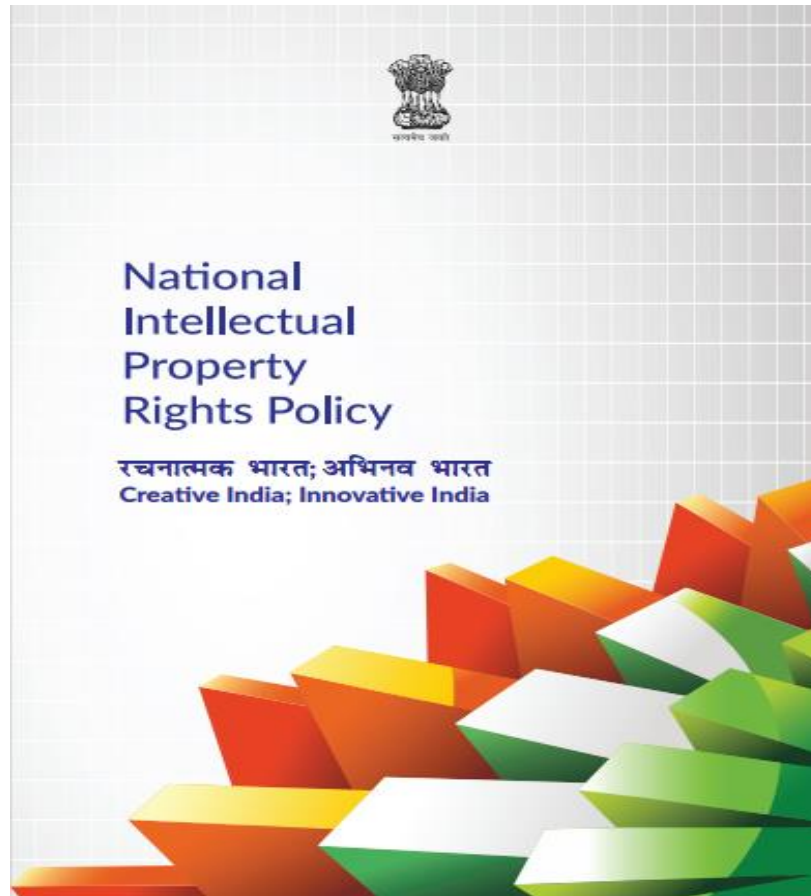
**Protection  
Of**

**Traditional Knowledge**



# India's National IPR Policy

May 2016



# National IPR Policy of India & TK/TCEs

## **Richness**

India is rich in traditional medicinal knowledge which exists in diverse forms in our country. Amongst them, well developed systems like Ayurveda, Yoga & Naturopathy, Unani, Siddha, Sowa Rigpa and Homeopathy have immense economic value.

## **Misappropriation :**

It is important to protect India's rich Traditional Knowledge from misappropriation.

# National IPR Policy of India & TK/TCEs

- **Outreach Programme**

Reaching out to the less visible and silent IP generators and holders, especially in the rural and remote areas, through campaigns tailored to their needs and concerns.

These would include small businesses, farmers/ plant variety users, holders of traditional knowledge, traditional cultural expressions and folklore, designers and artisans

# National IPR Policy of India & TK/TCEs

- **Review Study** : Undertake an in-depth review study to determine the appropriateness and extent of applying the existing laws to protecting TK, GR and TCE, and to propose changes required, if any.
- **Ambit Expansion of TKDL**: The ambit of Traditional Knowledge Digital Library (TKDL) should also be expanded to include other fields besides Ayurveda, Yoga, Unani and Siddha.
- **TKDL & Research** : Public research institutions should be allowed access to TKDL for further R&D, while the possibility of using TKDL for further R&D by private sector may also be explored, provided necessary safeguards are in place to prevent misappropriation.

# National IPR Policy of India & TK/TCEs

- **Documenting Oral Traditional Knowledge**, taking care that the integrity of the said knowledge is preserved and traditional ways of life of communities are not compromised.
- **Participation & Partnership** : Promote India's rich heritage of traditional knowledge with the effective involvement and participation of the holders of such knowledge. Traditional knowledge holders will be provided necessary support and incentives for furthering the knowledge systems that they have nurtured from the dawn of our civilization.

# National IPR Policy of India & TK/TCEs

- **Flow of Benefits** : Introduce approaches and mechanisms so that benefits of the IP system reach all inventors including MSMEs, informal innovators and holders of traditional knowledge.
- **International Engagement**: Continue to engage actively and constructively in the deliberations at various international fora to develop legally binding international instrument(s) to protect Traditional Knowledge (TK), Genetic Resources (GR) and Traditional Cultural Expressions (TCE).

# National laws in India to protect TK

*No separate law to protect TK/ TMK in India  
Parliamentary Bill has been introduced*

*No Discussion yet*

## Existing Laws

- National Biological Diversity Act
- Patents Act
- Protection of Plant Varieties and Farmers Rights Act
- Geographical Indications Act
- Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006





**THANK YOU**

**Dr. Sumit Seth**  
**Permanent Mission of India, Geneva**  
**[s.seth05@mea.gov.in](mailto:s.seth05@mea.gov.in)**