

Opening up of Section 3(d) of the Indian Patents Act

3039. SHRI DEVENDER GOUD T.: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the view of Government on experts' opinion that the recently launched Intellectual Property Rights Policy fails to acknowledge that IP is a market-driven model;

(b) whether it is also a fact that the new policy poses a serious hurdle to allowing access to affordable drugs; and

(c) what is the view of Government on experts' demand for not opening up of Section 3(d) of the Indian Patents Act which sets the standard on invention in India?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The National Intellectual Property Rights (IPRs) Policy is a comprehensive and holistic vision document that lays the roadmap for future development in the field of IPRs. It aims to stimulate a dynamic, vibrant and balanced intellectual property rights system in India to foster creativity and innovation and thereby, promote entrepreneurship and enhance socio-economic and cultural development. It notes the importance of IPRs as a marketable financial asset and economic tool.

(b) No, Sir.

(c) Section 3 (d) of the Indian Patents Act, 1970 is TRIPS compliant. There is no evidence to show that section 3(d) restrains innovation.

Measures to protect domestic industries

3040. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether in view of the protectionist tendencies emerging in the developed world, Government is considering any tariff or non-tariff measures to protect the domestic industries;

(b) if so, the details thereof and if not, the reasons therefor;

(c) whether any such move is being contemplated specifically to protect the Micro, Small and Medium Enterprises; and

(d) if so, the details thereof and if not, the reasons therefor?