A regional comparison of patent law

News & Updates • September 29, 2017

Asia Business Law Journal compares patent regimes across Asia in this Head 2 Head. Pravin Anand and Nishchal Anand make the case for India. In the year 2016, two major developments were set in motion by the Indian government- the National IPR Policy, approved on the 12th of May and the Patents (Amendment) Rules, 2016, which came into effect on the 16th of May. While the former clarified India's policy position on a number of substantive provisions relating to patent law, the latter sought to improve the procedural framework with respect to patent examination, grant and opposition. The notable aspects of each of these are analysed below.

The National IPR Policy 2016

The mission statement of this policy seems to envision a balance between fostering innovation and protecting public interest considerations such as access to healthcare, food security and environmental protection. The policy also puts down seven objectives including: promoting IPR awareness; stimulating IPR generation; ensuring a strong legislative framework that balances the interests of the right owners with the larger public interest; modernizing and strengthening the IPR administration; encouraging the commercialization of IPR; and strengthening the adjudication and enforcement mechanisms against infringement and developing human resources, institutions and capacities within the IP field. *Read the full Head 2 Head on Asia Business Law Journal.*

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