India's Biological Resources

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The protection of biological resources, their access and regulation and the application of benefit sharing principles are still in the nascent stage in India, according to Neeti Wilson, with recognition of bioresources as IP slow but sure. The different forms of IP protection available in India presently include patents, trade-marks, copyrights, designs, geographical indications, integrated circuit layout designs and plant variety protection. More recently, biodiversity and biopiracy concerns have flagged the requirement of protection for biological resources. The developing countries of the world - being the richest in biodiversity - have the biggest challenge protecting their biological heritage and the IP derived from the same. The Convention on Biological Diversity (CBD) led the way to the legislation for protection and regulation of biological diversity. This article highlights the three main pieces of legislation in India impacting the area of bioresources: patent law, plant protection law and the biodiversity law. *This article was published in Asia IP October 2009.* To continue reading, please contact us at email@anandandanand.com

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