



India's Unique IP Evolution

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Pravin Anand and Binny Kalra discuss IP's unique developmental path in India, where courts have been under pressure by increasingly competitive industry to refine and evolve the system. Old time practitioners of intellectual property fondly remember the classic cases that would come up before the courts; simple cases of copying where defendants would offer an undertaking and the case would settle right at the threshold. There was no question of a trial. Today, Indian intellectual property is a unique genre. You need only look at the concept of trans-border reputation to protect well known trade marks (if only the US would protect Bkhara, Tata and other Indian trademarks in the same way). Software companies like Microsoft, Adobe, Autodesk combine in a single law suit against a common defendant and with appropriate injunctions and Anton Piller Orders, are able to settle with damages in record time of a few days due to sweeping procedural changes that have led to expedited trials and portend a future for punitive damages. This article was published in IP Focus 2012. [Read more](#)

