Commercial Courts in India

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If the World Bank's 2014 Ease of Doing Business Report, which ranks India 142nd among 189 countries surveyed, is any indication, there appears to be a growing impression among foreign investors and companies that India is a difficult place to do business. One major factor contributing to this is the lack of a time-sensitive and cost-effective dispute resolution mechanism to deal with commercial disputes, especially intellectual property disputes. As per the Law Commission of India's Report No. 253, there are approximately 32,656 civil suits pending before five High Courts which have original jurisdiction in India, of which approximately 51.7% are commercial disputes. A significant number of these commercial disputes are intellectual property disputes. An important realization that has slowly-but-surely started to seep into the consciousness of the Indian legislature and judiciary is the relevance of intellectual property as being the most important asset a company owns, and the urgent need for a proper, effective and efficient system to safeguard the same so as to foster a conducive commercial environment vital to the national interest. This is evident from the recent Commercial Courts legislation, wherein the legislature has provided for mechanisms to make dispute resolution in commercial matters more streamlined and time-sensitive. *Authored by Dhruv Anand and Udita M. Patro. This article was published in Asia IP September 2015.* Read more

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