

# India's patent laws under threat?

TIMES NEWS NETWORK

Setting up of a bilateral mechanism on intellectual property (IP) rights through the US-India trade policy forum and the new draft national IP policy championing IP as the only way to promote innovation have raised apprehensions among health activists that India might concede ground on IP during President Obama's visit.

HIV patient groups, activists working on access to medicine and IP academics have expressed the apprehension that Obama's visit will pressure India to dilute the provisions in its patent laws meant to safeguard pub-

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lic health priorities. They accused the government of trying to bypass Parliament on the issue of IP and undermining the patent law through administrative measures.

"As the people of India, we welcome President Obama,

if he represents the American people. But we don't want him as a representative of US business, especially the pharmaceutical industry, which is responsible for millions of deaths across the world by making drugs too expensive through monopoly pricing," said Dr Amit Sengupta of Jan Swasthya Abhiyan (JSA), a network of organizations working on public health issues.

The US government recently reviewed India's intellectual property system and declared it inadequate placing it on the US 'Special 301 Watch List', which could invite trade sanctions. "After the India-US joint summit

where India bent over backwards to agree to set up an IP working group, what it gets in return is the US announcing an out-of-turn review of India's patent laws and stance on IP. India has been on the US Trade Representative's priority watch list for 30 years. So why is there sudden urgency regarding being on the watch list?" asked Dr Sengupta.

"PM Modi came as India's strong man, but where is his strength if he cannot tackle a declining power like the US?" asked senior advocate Anand Grover of Lawyers Collective.

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