

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:5123

ANSWERED ON:26.04.2002

US COMPLAINTS AGAINST INDIA OVER INTELLECTUAL PROPERTY RIGHTS

GADDE RAMAMOCHAN;M.V.V.S MURTHI

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether attention of the Government has been drawn to the news-item captioned `US complaints against India over intellectual property rights` appearing in Pioneer dated 4 April, 2002;

(b) if so, whether USTR has made certain remarks in its 2002 National Trade Estimate Report;

(c) if so, whether the Government have examined the report;

(d) if so, whether the Government have agreed with the report; and

(e) if not, the reaction of the Indian Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN SINGH)

(a) & (b) : Yes, Sir.

(c) to (e) : The National Trade Estimate report is an annual statutory exercise of the United States Trade Representative (USTR) under Section 181 of the United States Trade Act of 1974. It inventorises US perceptions of important foreign barriers affecting exports of goods and services, foreign direct investment and protection of intellectual property rights (IPRs) in different countries.

The exercise is inclusive of inputs/comments obtained from countries through diplomatic channels. These, inter-alia, indicate the status of issues. Appropriate inputs/comments regarding the status of India's implementation of IPR legislations were provided to the USTR through the Embassy of India, Washington on 4th March, 2002.

India has already enacted/amended the following is IP-related legislation to , inter-alia, meet its international obligations.

- The Geographical Indications (Registration & Protection) Act, 1999.
- The Trade Marks Act, 1999.
- The Designs Act, 2000.
- The Copyright Act, 1957 as amended upto December 1999.
- The Semiconductor Integrated Circuits Layout-Designs Act, 2000.
- The Protection of Plant Varieties and Farmers' Right Act, 2001.

Further, in order to amend the Patents Act, 1970, a Bill, namely, the Patents (Second Amendment) Bill, 1999 is under consideration.