

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

UNSTARRED QUESTION NO:2771  
ANSWERED ON:12.12.2011  
INTELLECTUAL PROPERTY APPELLATE BOARD  
Jindal Shri Naveen

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

- (a) whether the Government has been providing adequate infrastructure to the Intellectual Property Appellate Board (IPAB) and their members;
- (b) if so, the details thereof;
- (c) whether the Chairman of IPAB has raised certain concerns over the independence of IPAB;
- (d) if so, the reaction of the Government in this regard;
- (e) whether the Government plans to shift the responsibility of IPAB to the Ministry of Law and Justice; and
- (f) if so, the details thereof and if not, the reasons therefor?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

- (a) & (b): The details of the infrastructure and the logistical support provided to Intellectual Property Appellate Board (IPAB) is at Annexure –I
- (c): Yes, Madam.
- (d): IPAB is a statutory body established with effect from September, 2003 under the Trademarks Act, 1999. Establishment of the Appellate Board including inter alia, the composition of the Appellate Board; qualification for appointment as Chairman, Vice Chairman or other Members and terms of office of Chairman, Vice Chairman and Members are determined by Chapter-XI of the Trademarks Act. The functioning of IPAB is, therefore, independent of the Department of Industrial Policy & Promotion. The role of Department of Industrial Policy & Promotion is restricted to providing financial support by way of budgetary provisions and necessary infrastructural support.
- (e) & (f): This Department has not yet received any formal proposal for shifting the responsibility of IPAB to the Ministry of Law & Justice.