



**Permanent Mission of India to the United Nations
Geneva**

Statement by India

Delivered by H.E. Mr. Ajit Kumar, Ambassador/Permanent Representative of India to the United Nations Offices in Geneva, on the occasion of 56th Series of the Meetings of the Member States of WIPO

3 October 2016

Mr. President,

India would like to congratulate you for assuming the responsibilities of the President of General Assembly. We are confident that you will skillfully guide the intensive deliberations, in the coming days.

2. We would also like to compliment Director General, Mr. Francis Gurry and the Chef De Cabinet and ADG, Mr. Naresh Prasad who is also the Secretary to the Meetings of the WIPO Assemblies, and other members of the WIPO Secretariat, for their hard work and meticulous preparations for the Assemblies.

3. We would also like to express our gratitude to the members of the Asia Pacific Group for their support and faith in India's role, as the Regional Coordinator.

Mr. President

4. Today, the credibility of a nation is perceived by its ability to create, disseminate, and leverage knowledge to enhance its growth and development. This is all the more true in a highly interdependent and interconnected world, where a nation's ability to transform knowledge owned into knowledge shared will give it an edge over others.

5. A resilient and dynamic Intellectual Property Ecosystem is a *sine qua non* for building a robust knowledge economy. An IP system should promote innovation, protect IP Rights and safeguard the larger interests of the society.

Mr. President

6. India has embarked on a path towards a building a robust knowledge based economy by taking a series of steps. In order to foster a culture of creativity and innovation, India launched various flagship programmes such as **Make in India, Digital India, Startup India** to name a few. These programmes aim towards facilitating investment, enhance skill development, protect intellectual property and create a world-class manufacturing matrix in India.

7. India has adopted a new National IPR Policy earlier this year. It envisions an 'Creative India; Innovative India', even as it encompasses and brings to a single platform all IPRs. India has a well-established TRIPS compliant legislative, administrative and judicial framework to safeguard Intellectual Property Rights, which meets its international obligations while utilizing the flexibilities provided in the international regime to address its developmental concerns.

8. The first step, a giant leap if I might say so in the implementation of the policy, has been the manifold increase in the human resources at the Indian Intellectual Property Offices. 458 Patent Examiners have been hired from 14 disciplines through a rigorous recruitment process that involved a whopping

82,000 candidates, all engineers and scientists. 100 Trademark Examiners have also been recruited on contract.

9. This increase in workforce is expected to bring down pendency, and the early results have been very encouraging. The time for first examination of Trademark applications has already come down from 13 months to 5 and a half months, and will come down further to just 1 month by March 2017.

10. We are also very enthused with the increase in the IP filing numbers in India. In 2015-16, Patent filings increased by 10% vis-à-vis the previous year while Trademark filings shot up by 35% vis-à-vis the previous year: a clear reflection of the growth in the Indian economy.

11. The latest Global Innovation Index report by WIPO, released in August 2016, also acknowledges India's efforts to support IPRs and innovation by stating that "India is a good example of how policy is improving the innovation environment." India has seen a significant jump of 15 places in the 2016 rankings, as compared with the previous year, which indicates that the Indian economy is successfully navigating the innovation pathway.

12. Indian Patent Office, recognized as the 17th ISA/IPEA in the world, provides high quality reports at the lowest cost anywhere (about \$150).

Mr. President

13. India is one of the proponents for hosting an External Office of WIPO in its national capacity. External Office hosted in India will strengthen the Global IP System and bring the benefits to the Central and Southern Asian Region, where there is no External Office. I'd like to assure Member States that opening of an EO in India will not harm any country's interest. Delegation of

India would like to seek the support of the member states and urge them to give serious consideration to its proposal.

14. Development of normative framework is one of the important functions of WIPO, and we look forward to more progress in this regard.

15. The creation of the Traditional Knowledge Digital Library (TKDL) has been a significant achievement for India, a country with a vast pool of traditional knowledge. India has been able to partially prevent attempts to misappropriate its traditional knowledge with the help of this digital library, particularly with those countries that have included TKDL in their search. We look forward to working closely with WIPO to make this first-of-its-kind digital library a part of PCT minimum documentation.

16. India welcomes the incremental progress made in the work of IGC and look forward to an early finalization of an International legal instrument for effective protection of Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources. India would like disclosure, prior informed consent and equitable access and benefit sharing based on mutually agreed terms to be included in the international instrument/instruments. From India's perspective it is important to find adequate ways to protect freely available traditional knowledge and traditional cultural expressions which may subsists in codified and non-codified forms.

17. India expects an early finalisation of the text of the Design Law Treaty. We support the incorporation of "technical assistance" as an article in the DLT.

18. India reiterates its support for a treaty on protection of broadcasting organisations based on **'the signal based approach in traditional sense'** consistent with the mandate of 2007 General Assembly. However, the issue of 'rights based approach' to protect broadcasting organizations and also inclusion of any elements of webcasting and simulcasting needs further discussion and exchange of ideas.

Mr. President,

19. WIPO Member States along with the WIPO Secretariat have taken praiseworthy steps to ensure greater development orientation in WIPO's work and the mainstreaming of the Development Agenda. India supports an institutional mechanism which can monitor its effective implementation.

Mr. President

20. India was the first country to ratify the 'Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled'. We are pleased to note that the Marrakesh Treaty has come into force and hope to join hands with all member nations to ensure an inclusive society.

Mr. President

21. On the issue of the Report of the office of Internal Oversight Services, delegation of India notes with concern that there has been an attempt to drag this matter ad infinitum. The erstwhile Chair of WIPO GA and the Chair of CoCO have given a decision and we must respect it and bring a logical closure to the investigation process. At the same time delegation of India welcomes the idea of the revision of Internal Oversight Charter, reform in the WIPO procurement procedures. We must keep in mind the larger interest of WIPO, its credibility, its reputation and its effective functioning.

22. We would also like to acknowledge the commendable role played by the Comptroller and Auditor General of India as the current External Auditor of WIPO for the financial year 2015. We commend the WIPO management as well, for their positive response to the recommendations made by the External Auditors and measures taken by them for improvements in different areas. The

degree of competence, credibility and trustworthiness, of the Supreme Audit Institute of India, has been well recognized not only in WIPO but in other United Nations bodies as well.

23. The delegation of India looks forward to actively participating and contributing to the deliberations during this General Assembly.

I thank you, Mr. President.