



# WTO-IPR Bulletin

G.B. Pant University of Agriculture & Technology, Pantnagar, Uttarakhand - 263145

## From the Vice-Chancellor's Desk



It is well known that every four years, the United State of America goes to polls for the election of its president. Generally such elections are taken as a routine political process from the stand point of world trade. However, with the arrival of President Donald Trump on the scene, a new trend in the world trade is likely to emerge. He has ordered withdrawal of the United States of America from the proposed Trans-Pacific Partnership (TPP) and also decided to re-negotiate the terms and conditions of participation of the USA in the North American Free Trade Association (NAFTA) with Mexico and Canada. Also an increase in import duties on goods being imported in to the USA is strongly rumoured. While withdrawal of the USA from TPP and proposed re-negotiation with trading partners of NAFTA are a blow to 'regional trade', the proposed review of import duties in the USA signals return of 'quantitative restrictions'. These measures will produce cascading effect in the trade policies of other countries in the world. These developments run counter to liberalisation in trade for which the World Trade Organisation (WTO) was created in 1995. These instances are being seen as the beginning of 'protectionism' in world trade. As these are entirely new developments, their effect will be watched with keen interest by partners in trade and also by academicians in International Trade.

If protectionism rises, it will naturally affect agriculture sector. The agriculture sector of any country must therefore, be in a good health. Fortunately, the weather this year has been good for the agriculture sector in India. There have been rains in winter season in North India also which will be beneficial for the crops, especially the wheat crop. In Uttarakhand, winter rains particularly rains in January this year have been quite good and fairly well distributed. A report from the University has brought out that except for Bageshwar and Rudra Prayag districts, rains in January 2017 have been normal. If things go well, we can hope for a very good Rabi output in Uttarakhand. At the University various conferences and programmes were organised recently. A National conference on Climate Change was organised in December 2016. A course on Hydrologic Modelling and Climate Change was organised in collaboration with the Global Initiative under Academic Networks. The course was designed to integrate two major aspects of water resources management viz., hydrologic modelling and climate change. Besides, an ICAR sponsored Winter School was organised on Hi-tech Micropropagation Techniques for Biomass and Metabolite Production. This was attended by the Assistant/ Assoc. Professors from Assam, Himachal Pradesh, Uttar Pradesh, Sikkim, West Bengal, Telangana, Madhya Pradesh and Uttarakhand. Training programmes were also organised for farmers.

The University has started inviting eminent alumni, organising lectures from them, and honouring them for greater interaction between alumni and their alma-mater i.e. this University. One such lecture was delivered by Prof. Vijay P. Singh on “Writing a manuscript” in December 2016. Dr. Singh belongs to 1963 batch of the College of Technology and is currently an eminent professor at the University of Texas, A & M. He has authored 24 books, edited 57 books and has 840 papers to his credit. No wonder, he holds the Caroline & William N. Lehrer Distinguished Chair at the Texas A & M University. In the area of IPRs, efforts are being made to protect as many intellectual properties as possible. It is heartening that our Intellectual Property Management Centre has filed 15 applications for patent since its inception on June 24, 2015. Besides, a good number of applications are in the process of compilation for submission.

The second semester of the University commenced on the 9<sup>th</sup> January, 2017. New doctorate students have also joined the programme. A total of 23 students have been admitted to Ph.D programme and registered in the current semester. I take this opportunity to welcome all the students and wish them success in their studies.

**(J. Kumar)**  
**Vice-Chancellor**

## **II. INTERNATIONAL NEWS**

### **1. Revival of Protectionism**

In the decade of 1990's various trading blocs had emerged. While the European Union consolidated itself with commitment to enforce Maastricht Treaty, and went in for, monetary union, many trading blocs emerged in various parts of the World, such as NAFTA in North America, SAFTA in Latin America, APEC in Pacific Ocean area, ASEAN in Asia. These trading blocs were considered as building blocks for efficient 'regional trade'. The last in the series was the proposed Trans-Pacific Partnership (TPP) which comprised 11 countries including the USA. Under his new dispensation, keeping a key election promise, President Donald Trump has signed as order for pulling the U.S. out of the Trans-Pacific Partnership, a key trade deal with 11 countries including Mexico, Singapore, Australia, Japan and other countries. It has been reported that President Trump is likely to re-negotiate with Mexico & Canada, the North American Free Trade Association (NAFTA). These developments are being seen and rightly so, the beginning of protectionism in world trade.

### **2. Director General of the WTO visits India**

The World Trade Organisation chief Roberto Azevedo visited India in February 2017. The Director General of the WTO met among others, the Commerce & Industry Minister, Ms. Nirmala Sitharaman and held extensive discussion. Azevedo's visit is of great importance as it comes ahead of the 11<sup>th</sup> WTO Ministerial Conference to be held in Argentina in December 2017 which is expected to see a tug of war between developed countries that want to bring in topics apart from the existing Doha issues and developing countries, which don't want new issues until the unfinished issues including food security get resolved. Azevedo had last visited India in 2003 after taking charge as the WTO Director General.

### **3. IKEA Loses Trademark Suit Against Aikya**

A district court in New Delhi has dismissed a trademark violation case filed by Sweden's IKEA against Bangalore based consulting company Aikya Global for allegedly using a phonetically similar sounding name as that of the world's largest furniture retailer. In 2003, IKEA had dragged about a dozen local companies, including Aikya and HR firm IKYA Human Capital Solutions, to courts over trademark infringement and received ex parte injunction against them. In June 2015, the New Delhi court had vacated the injunction against Aikya, now ruling in favour of the local company.

The dismissal comes even as IKEA is planning to open its inaugural store in Hyderabad later this year: Mumbai is next on the destination list of the Swedish furniture retailer that views India as crucial to its growth strategy. Sweden's largest retailer has already received government approval to invest ₹ 10,500 crore the largest foreign direct investment in single brand retailing to set up 25 large stores, typically in the range of 3,50,000 sq ft each and stocking thousands of items. In the court documents, Inter IKEA Systems BV, the owner of IKEA and various other trademark of the Swedish retailer had accused that Aikya had "copied and imitated" the trademark that is "wholly and absolutely similar, identical with and deceptively similar" to IKEA. Inter IKEA declined to comment citing the ongoing judicial process. Aikya Global's founder Krishna B Mariyanka said he stands justified by the district court ruling.

#### **4. Govt to Send Expert Team to Geneva to Speed up WTO Negotiations**

To expedite negotiation on food security and a global agreement on services at the World Trade Organisation (WTO) before the Ministerial meeting in December in Argentina, India will send an expert team next month to Geneva. India is not willing to bend or yield on its demand for a discussion on food security, Commerce and Industry Minister Ms. Nirmala Sitharaman said after a meeting with WTO Director General Robert Azevedo on Thursday. “We will send a team to Geneva to talk on details.... we will not start from zero,” she said referring to the G-33 proposal that seeks to amend WTO rules on agriculture. The proposal suggest food procurement from farmers to feed the poor under a subsidy fixed at 10%, and also uses an old methodology for subsidy calculation that does not account for inflation and is based on a price index of 1986-88. The team will also help prepare India for the Ministerial in Argentina so that enough discussion happens before any agenda is decided.

“Unlike Nairobi, when we all went unprepared, we want discussion to happen in Geneva (this time),” Sitharaman said India does not want a situation where there is no progress on the issues it finds important before the Ministerial. Azevedo had called the Nairobi Ministerial a “disaster” where countries “felt comfortable in not having a decision.” In Nairobi, developed countries were successful in clinching the deal away from India by allowing new issues to be taken up in the WTO’s mandate. Developed countries including the US have been pushing for cooperation, information exchange and capacity building for SMEs and fisheries also. Sitharaman reiterated that e-commerce is not on the agenda for India because there is not much understanding on the issue. “It is not proper for us to define and regulate it,” she said.

### **III. NATIONAL NEWS**

#### **1. Indian Seed Companies Seek to Protect Plant Varieties**

Indian seed makers, who have challenged global giant Monsanto’s dominance in India, are pitching for an effective system to legally protect plant varieties so that high-quality, affordable seeds are easily available for farmers under the appropriate legal framework. Indian companies want to ensure proper implementation of the Protection of Plant Varieties and Farmer’s Right Act. Prabhakar Rao, chairman of Nuziveedu Seeds, recently appointed as a Member of the Government Authority under the Act, is confident that the law will help resolve the issues involving seed companies, farmers and technology providers. “My endeavour will be to ensure that the Authority functions for the establishment of an effective system for protection of plant varieties, the rights of farmers and plant breeders and to encourage the development of new plant varieties for ensuring accelerated agricultural development in the country.

Rao, who is also the President of the National Seed Association of India (NSAI), replaces representatives of Maharashtra Hybrid Seeds Company Ltd (Mahyco). Monsanto sells cotton seeds in India via Mahyco Monsanto Biotech Ltd (MMBL), a joint venture. A section of the industry says Rao’s presence in the Plant Variety Protection Authority puts him in a conflict-of-interest situation because of his conflict with Monsanto over patents and licensing. But others, including government officials, say that in principle, the situation is not different from what was prevailing earlier when Mahyco’s representatives held the same position. On the other hand, the General Secretary of the National Seeds Association of India, Kalyan Goswami said Rao, along with various Indian seed companies, has championed the cause of curbing the relentless monopolistic domain of Monsanto over domestic companies.

## **2. Two firms under scanner for genetically engineered food**

Food safety official of the Greater Hyderabad Municipal Corporation (GHMC) have served notices to two companies- Shree Agenises in Hyderabad and SR International in New Delhi- for distributing genetically engineered (GE) food products in the supermarkets of the city. According to Section 22 of the Food Safety and Standards Act, no person shall manufacture, distribute, sell or import genetically modified articles of food. It defined GE foods as the products composed of ingredients containing genetically modified or engineered organisms obtained through modern biotechnology. “Our team has inspected some supermarkets in Banjara Hills and identified a GE food product- Chocolate Cheerios in Balaji Grand Bazar. This is an imported breakfast cereal product from the US brand General Mills, which is reportedly consisting of genetically modified ingredients. We have collected samples from the supermarket and sent for testing to State Food Laboratory,” said GHMC Assistant Food Controller, K Balaji.

According to him, the label on Chocolate Cheerios mentions that it is a partially GE product. Based on the addresses on the label and bills, the officials have served notices to the local distributor- SR International seeking the details about the licences and import of this product.

According to the sources, the GE food products are also available in several other supermarkets in the city. Though GE foods are used in the US and some other countries, they are not allowed in India. Food Safety and Standard Authority of India (FSSAI), the government body to ensure safe food, has restricted the usage of GE foods. But, they are allegedly being illegally imported to the country through some agencies.

## **3. Foreigners dominate in Patent filings in India**

Around 80 percent of the more than 43,000 domestic product and process patents have been secured by foreign entities- many of them global technology giants like Qualcomm, Samsung and Philips. Experts say these companies that have operations in India apply for Indian patents on the basis of their global patents, which would put their intellectual property rights on a stronger footing in the country. The increase in domestic patents does not reflect on the performance of Indian research and development, they add. Patent filings, too, reflect this trend. Indigenous filings clocked 12,071 in the 2014-15 period whereas filings made by foreign companies were nearly three times more at 43,763 filings. Despite a Central Government-steered IPR policy in place, securing patents on Indian soil continues to be a protracted process involving years of wait. Only a fraction of the nearly 2,000 patents filed will eventually come to force. But, the law permits a procedural shortcut to international patents which is not available for indigenous innovators, resulting in a lesser backlog for foreign patents.

According to Sanjai Gandhi, President of Intellectual Property Attorney Association, after drafting a patent application and sending a complete specification report, one has to send the patent for publication and mandatory examination. While the publication process can be expedited by paying Rs 20,000 by anyone, the request for examination is where the vehicle breaks down. “International application can request an express examination by paying a dynamic sum, depending in their patent. But this option is not available to Indian applicants. A patent filed by one of my clients in 2005 still in the examination stage, “he says, adding that this is a huge lacunae for a country like India which is WTO-TRIPS (Trade Related Aspects of Intellectual Property Rights) compliant and is among the few nations with an international IP search agency.

#### IV. IPRS AT THE UNIVERSITY CAMPUS

The Intellectual Property Management Centre (IPMC) continues to make efforts for compiling applications for patents and has submitted 15 applications for patents since its inception in June 2015. Various particulars of the applications submitted by the IPMC are as follows:

<b>File No.</b>	<b>Invention Title</b>	<b>Inventors</b>	<b>College/Deptt.</b>	<b>Date of Submission from IPMC to Patent Office</b>
1	Pant-ICAR Apricot Pit Decorticator	Adinath Eknath Kate, Umesh Chandra Lohani, Navin Chandra Shahi & Jai Prakash Pandey	College of Technology, Deptt. of Post Harvest Process and Food Engg.	No. IPMC/IPRs/81 Dated 03-12-2015
2	Pant Low Glycemic Index Buns	Neha Tiwari & Sarita Srivastava	College of Home Science Deptt. Food &	No. IPMC/Patent-IPRs/156 Dated 30-01-2016
3	A Novel Milkweed Floss/Lyocell Blended Fabric	Jyoti Joshi & Alka Goel	College of Home Science Deptt. of Clothing	No. IPMC/ Patent-IPRs /157 Dated 05-02-2016
4	A Device to Scare Away Wild Animals From Crop Damage	Arvind Kumar Tyagi	College of Agriculture Deptt. of Soil Science	No. IPMC/ Patent-IPRs /159 Dated 09-03-2016
5	Isolation of Malu Fibers and Development of A Novel Blended Fabric From Malu-Viscose	Ruchi Kholiya & Alka Goel	College of Home Science Deptt. of Clothing & Textiles	No. IPMC/ Patent-IPRs /160 Dated 19-03-2016
6	Pant-ICAR Finger Millet Dehuller-cum-Pearler	S.S. Verma, Anupama Singh, N.C. Shahi, T.P. Singh & Khan Chand	College of Technology Deptt. of Post Harvest Process & Food Engg.	No. IPMC/ Patent-IPRs /161 Dated 28-03-2016
7	A Composition and Process to Develop a Substitute for Nitrite in Processed Meat Food Products without Compromising Food Safety	P. Prabhakaran, Prateek Shukla, V.K.Tanwar and Praneeta Singh	College of Veterinary & Animal Sciences, Deptt. of Livestock and Animal Sciences	No. IPMC/Patent-IPRs/163 Dated 24-05-2016
8	A Process for Crop Regulation in Guava under High Density Plantation	Pankaj Nautiyal & Shant Lal	College of Agriculture Deptt. of Horticulture	No. IPMC/Patent-IPRs/165 dated 4-06-2016
9	Pant Low Glycemic Index Instant <i>Pulav</i>	Ms. Shweta Joshi & Dr. Sarita Srivastava	College of Home Science Deptt. of Foods & Nutrition	No. IPMC/Patent-IPRs/168 Dated 10-06-2016
10	Development of a novel thermal bonded nonwoven fabric from chicken feather fibers	Dr. Neha Sah & Dr. Alka Goel	College of Home Science Deptt. of Clothing &	No. IPMC/Patent-IPRs/167 Dated 10-06-2016



	and jute fibers		Textiles	
11.	Development of an Innovative Best Fibre: Dombeya (Dombeya acutangula fibres)	Ms. Tayyaba Fatma & Dr. Shahnaz Jahan	College of Home Science Deptt. of Clothing & Textiles	No. IPMC/Patent-IPRs/212 Dated 05-11-2016
12.	Development of Nonwoven Fabric by Using Recycled Cotton	Dr. Rachna Sharma & Dr. Alka Goel	College of Home Science Deptt. of Clothing	No. IPMC/Patent-IPRs/213 Dated 23-11-2016
13.	Finger millet prolamin based nano-delivery vehicle for lipophilic substances-Beta carotene	Dr. Manoj Singh, Dr. Anil Kumar and others	College of Basic Biology and Genetic Engineering Deptt. of Basic Sciences Humanities	No. IPMC/Patent-IPRs/218 Dated 03-02-2017
14.	Development of Insect Repellent Finish by Microencapsulation Technique	Dr. Rachna Sharma & Dr. Alka Goel	College of Home Science Deptt. of Clothing & Textiles	No. IPMC/Patent-IPRs/219 Dated 09-02-2017
15.	Multifunctional Seed storage albumin gene (fimA1) of Finger millet (Eleusine coracana) encoding a protein enriched with lysine-an essential amino acid	Dr. Supriya Gupta, Dr. Anil Kumar and others	College of Basic Science Humanities  Deptt. of Molecular Biology and Genetic Engineering	No. IPMC/Patent-IPRs/220  Dated 11-02-2017

### Patent Applications Sanctioned at the University

1.	Cover spun yarn of flax and lyocell fibers and their fabrics	Dr. Swati Sahu & Dr. Alka Goel	College of Home Science Deptt. of Clothing & Textiles
2.	Production of fabrics comprising of certain fibers like Girardinia, Agave, Surgarcane (Bagasse) fibers	Dr. Yogita Pandey & others	College of Home Science Deptt. of Clothing & Textiles
3.	Pant Gluten Free Muffins	Ms. Diksha Bisht & Dr. Sarita Srivastava	College of Home Science Deptt. of Foods & Nutrition

## Patent Applications under Compilation

1.	Plough for intercultural operation in sugarcane	Dr. R.N. Pateria	College of Technology
2.	Development of Jute Reinforced plastic composites utilizing general purpose resin & iso phthalic resin and bentonite nanoclay	Dr. Isha Tyagi & Dr. Alka Goel	College of Home Science Deptt. of Clothing & Textiles
3.	Pant Mini Plant Propagator (PMPP)	Mr. Khajan Singh Bisht	College of Agriculture
4.	Process for optimizing production of Eicosapentaenoic acid (EPA) in <i>Desmodesus subspicatus</i>	Dr. Thiyam General, Dr. A.K. Sharma, Ms. Neha Trivedi & others	College of Basic Sciences & Humanities Deptt. of Biological Sciences

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